Encyclopedia of Qurbaani Laws

Mufti Muhammad In’aam ul Haq Qaasimi

English translation edited by:

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(May Allaah protect him)

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About the Book

Truly as the name suggests the book has literally hundreds of rules and laws. Well researched and put in the place. Laws pertaining to all aspects of Qurbaani expounded. Rules concerning the age, eye, hair, legs, meat, foot, movement, skin, slaughtering, butcher, aids, workers and rope have been detailed. The history, significance and importance of Qurbaani are stated. Qurbaani and partnership, Qurbaani of the poor, of the wealthy, of defective animals at various stages are stipulated.

A book to be studied by all venturing to make Qurbaani and a useful text book for the scholars.

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Performing Qurbaani on behalf of the deceased

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AUTHOR'S NOTE

Qurbaani is Waajib on every Sahib-e-Nisaab (an individual who has sufficient wealth to discharge Zakaat). It is necessary to practically put into action any such action which is either Fardh or Waajib. One who does not perform the Qurbaani in spite of it being Waajib is a Faasiq and a grave sinner. One upon whom Qurbaani

is Waajib will only be relieved of this responsibility once he slaughters a Qurbaani animal during the days of Qurbaani. This responsibility cannot be fulfilled by merely offering the price of the Qurbaani. Severe warning has been sounded on not performing the Qurbaani.

This system has been set in motion form the time of Hadhrat Ibraheem □ and Hadhrat Ismaeel □ and will continue till Qiyamah. The person who makes Qurbaani will receive reward equal to the hair or fibre on the body of the Qurbaani animal and every single reward will be extremely necessary on the Day of Qiyamah. It will also enable a person to pass over the Pulsirat easily.

One of the aspects of wisdom in Qurbaani for the person who is a Sahib-e-Nisaab is the fact that he has been blessed with one more year of life for which his making of Qurbaani is an expression of immense gratitude. One who makes Qurbaani is a grateful servant while one who does not make Qurbaani is an ungrateful person. The bounties of a person who is grateful constantly increase while those of an ungrateful person keep on decreasing and declining.

There are innumerable Masaail pertaining to Qurbaani and as long as there is a lack of sound knowledge with regard to such Masaail the danger of errors and shortcomings will always exist. **This is why this servant of Allaah ▯ has gathered the Masaail of Qurbaani in chapters based on the Urdu alphabetical order so that there is no difficulty in researching and finding relevant Masaail.**

Duaa is made to Allaah ▯ to bless this endeavor with acceptance and grant this book acceptance in His court. Ameen.

(Moulana) Inamul Haq Qasmi (Sahib)

Lecturer and Mufti at Jamiatul Uloom ul Islamia
Allamah Binouri Town Karachi/5

APPRECIATIVE COMMENT

Hadhrat Maulana Abdul Majeed Deenpuri

Ustaadh of Hadith and Deputy Head Mufti - Jamiatul Uloom ul Islamia Allamah Binouri Town, Karachi

A narration in Tirmidhi reads:

مثل امتی مثل المطر لا یدری أوله خیر أم آخره

Translation: The example of my Ummah is like that of the rain. It is not known whether its beginning is better or its end.

Just as every single drop of rain is beneficial for transforming every tract of parched land into lushness and every orchard into a fertile fruit bearing Jannat-paradise, so too, the entire Ummah is good with respect to Deen and the Shariah, immaterial whether it was those in its initial period or those in the latter period, those who preceded or those who succeed. The reason for this is, this Ummah is one of mercy due to which no era in its history can be empty of goodness.

If the pious predecessors of the initial era had the good fortune of being exposed to the company of Nabi-e-Kareem □, of being his close companions, of being the band who assisted and supported Allaah □'s Rasul-

messenger, who spread and propagated the Deen, the latter Ummatis accepted the Deen without reservation, who firmly established the Deen and spread it far and wide to the four corners of the earth.

The Mujtahideen had the honour of establishing the foundations of Deen through compilation and systematic methodology, while those who came later had the virtue of being responsible for the simplification, systematic organization, rectification, and refinement, clearance of doubts, expansion and emphasis and abridgement. Yet, the sum total of virtue fell to the lot of our pious predecessors, for the blessings and effulgence that existed in their knowledge did not exist in those that came later and succeeded them. The greatest favour of the present day Ulema will be their presentation of the treasure trove of our pious predecessor's knowledge before the Ummah in keeping with their temperament and taste. My esteemed friend, Mufti Muhammad Inam ul Haq Sahib Qasmi muddazillahu has begun this effort for some time now whereby he has arranged all the different Fiqhi Masaail based on the Urdu alphabet is an easy and simplified manner. Prior to this, he had already prepared a treatise on the Masaail on fasting which is very widely accepted. He has now begun to systemize the Masaail pertaining to other chapters on Fiqh.

Presently, you have before you the Masaail pertaining to Qurbaani. I have full hope that the respected author will also prepare the Masaail on Mu'aamalaat in the same manner. We beseech Allaah to accept this effort and make it a means of salvation for all of us. Ameen.

Mufti Muhammad Abdul Majeed Deenpuri

Ustaadh of Hadeeth and Deputy Chief - Darul Ifta at Jamiatul Uloom ul Islamia, Allamah Binouri Town Karachi 07 04 1427 H. 06 05 2006

COMMENT:-

All praise is due only to Allaah. We laud Him and beseech His aid and beg forgiveness only from Him and believe in Him and rely solely on Him. We seek salvation in Him from the evils of our inner selves and the vices of our actions. There is none to misguide one whom Allaah intends to guide. I bear witness that there is no one worthy of worship but Allaah, the One who has no partner. I also testify that Hadhrat Muhammad is the faithful servant and the Last Rasul of

Allaah. May Allaah Ta'ala's mercy be on him, his family and his Sahabaah and may He bless them and raise their status.

Qurbaani basically is the sacrifice of an animal for the pleasure of Allaah, yearly. It is compulsory on the Muslim, mature, male or female, who gave Sadaqatul Fitr. Qurbaani is in emulation of the action of Hadhrat Ebrahim when in fulfilment of the dream was willing to sacrifice his son Hadhrat Ismaeel .

Some modernists proclaim that instead of sacrificing an animal it will be more beneficial to give money out to the poor and needy. This looks and appears to be good but goes against the grain of Shariat and arises due to the lack of proper Ilm. Moulana Thanvi (A.R) states that one needs to follow the original which was sacrifice of the ram by Hadhrat Ebrahim , thus as animal. Also Allaah even regards that as symbolic and the blood or meat is not the objective but 'Taqwa' is desired. Allaamah Khalid Mahmood states that in Shariat there is no substitute for the substitute. Explaining this rule – wudhu is the original whilst Tayammum is the substitute. But there is no substitute for the substitute Tayammum. Sacrifice of Hadhrat Ismaeel is the original whilst sacrifice of the animal is the substitute. There is no substitute for this animal sacrifice.

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Then the question arises, why eat after recitation of Bismillaah? And regard as 'haraam' when the animal dies naturally. Firstly, by reciting Bismillaah one is taking the permission from Allaah officially to eat the meat and secondly water that naturally comes out of the body one does not drink but uses external pure water.

One Hindu priest asked Moulana Qasim Nanotwi (A.R) why do Muslims eat meat? For Hindus are so nice that they do not harm, injure or kill to eat. Moulana replied that Allaah, the Creator has created two (2) types of animal: carnivorous and herbivorous. First type eats meat and the second grass etc. When one examines the teeth structure, then the animal that eats meat Allaah has given that animal canines. Whilst the animal that eats grass etc. Allaah has given that animal molars. Allaah has given mankind both canines and molars, thus to use effectively to eat both meat and vegetables.

Then the question may arise as to why we Muslims eat fish without slaughtering? One of the main reasons for slaughtering is to let the blood flow out. In the fish the vascular (blood) system is separate thus on death the blood does not mix with the meat. In animals there is a need to let the blood flow and this is achieved by slaughtering, thus no eating of blood.

The cow, camel, goat, sheep are animals of sacrifice because of 2 reasons, one that in the original natural state these animals are tame and of value, importance and significance. (Hujjatul Baligh)

In the Ahaadith, one will find that in one Hadith it is stated that there should be 10 shares whilst in another that there should be 7 shares. Which Ahaadith to act upon? Ahaadith of similar nature are present in other aspects of Shariat. The Honourable Muhadditheen (scholars of Ahaadith) have stated firstly that one should research on what the majority of the Sahabaah □ acted upon and follow. In this case Imaam Tirmidhi (A.R) states that the Sahabaah □ acted upon the 7 share Hadith.

Secondly, that in most compilations of Ahaadith books, the Hadith which is not acted upon (the abrogated) is recorded first then the Hadith which is acted (the abrogating) is recorded.

These two principles will aid via solving many complex Shari matter.

To distribute 1/3 to family members 1/3 to the poor and 1/3 to keep for oneself is Mustahab (preferable). One may keep all or even give all away.

May Allaah grant us the ability to be from the Ahlus Sunnat Wal Jamaat.

A.H.Elias (Mufti) (May Allaah protect him)

Safar 1432

January 2011

ABOUT THE BOOK

Truly as the name suggests the book has literally hundreds of rules and laws. Well researched and put in the place. Laws pertaining to all aspects of Qurbaani expounded. Rules concerning the age, eye, hair, legs, meat, foot, movement, skin, slaughtering, butcher, aids, workers and rope have been detailed. The history, significance and importance of Qurbaani are stated. Qurbaani and partnership, Qurbaani of the poor, of the wealthy, of defective animals at various stages are stipulated.

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ALIF

EYES

□….. The Qurbaani of an animal which is blind, squint, or a third or more of its sight is lost is not permissible.[1]

□….. It is permissible to make Qurbaani of an animal which has a glare in its sight.[2]

PERMISSION

□….. It is necessary to take permission from the person on behalf of whom one wants to make a Waajib Qurbaani, for to make a Waajib Qurbaani for a person without his permission is not in order.[3]

Yes, if the practice in a certain place is such whereby a husband makes Qurbaani for his wife, if a father does so for his matured children and the wife and children are aware of this, the Waajib Qurbaani on their behalf will be sound and valid on the basis of common practice and custom. It will not be necessary to acquire clear cut

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[1] Hindiyyah vol.5 p.297, Shaami vol.6 p.323, Bada'i vol.5 p.75, Al Bahr vol.8 p.176, Fath al Qadeer vol.8 p.433, Hindiyyah vol.5 p.298, Shaami vol.6 p.224, Al Bahr vol.8 p.177, Bada'i vol.5 p.76

[2] Aalamgiri vol.5 p.298

[3] Bada'i vol.5 p.67, Hindiyyah vol.5 p.302, Shaami vol.6 p.335

permission and the common practice and custom will suffice.[4]

□….. Wherever this is not common practice and custom, it will be necessary to acquire clear cut permission; otherwise the Waajib Qurbaani will not be considered as executed.[5]

COLLECTIVE SACRIFICE

□….. The custom of collective Qurbaani has become common these days and there are many institutions providing this service. There is nothing disliked in doing this as far as the Shariah is concerned. In fact, if there is some danger to one's life as far as the skin of the animal goes, it will be better in such cases to give preference to participation in collective Qurbaani so that the Qurbaani is completed, there is no cause for concern either and the skin reaches the rightful recipients as well.[6]

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[4] Shaami vol.6 p.315

[5] Hindiyyah vol.5 p.302, Fataawa Bazzaaziyyah upon Hindiyyah vol.6 p.295, Al Bahr vol.8 p.178, Bada'i vol.5 p.67

[6] Hindiyyah vol.5 p.304, Fath al Qadeer vol.8 p.429, Al Bahr vol.8 p.174, Bada'i vol.5 p.70-72

….. A special point necessary to bear in mind while participating in collective Qurbaani is not to knowingly participate in Qurbaani with such individuals whose earnings one know is Haraam, otherwise one's Qurbaani will not be valid. Therefore, it is necessary for institutions providing this service to bear this factor in mind. An easy way of doing this is to have huge placards wherever the booking for Qurbaani takes place announcing, **'Those whose earnings are Haraam, for example, through interest, gambling, Insurance, robbery and theft should not participate in collective Qurbaani otherwise they are responsible themselves.'**[7]

….. **In the case of collective Qurbaani it will be necessary for those seven people participating together to be specified and to make an intention on their behalf,** otherwise, if such specification is not made, the Qurbaani will not be in order.[8]

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[7] Jam' ul Jawami' vol.2 p.248, Hadith 5380, Musnad Ahmad vol.9 p.150, Hadith 9217

[8] Shaami vol.6 p.312

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IF AN AMOUNT IS LEFT OVER IN COLLECTIVE QURBAANI

…... It will be necessary to return to the owners any such sum which is left over when making collective Qurbaani. Without the clear consent of the participants, it will not be permissible for those conducting the collective Qurbaani to withhold any such sum of money left over.

Yes, if those who conducting the collective Qurbaani want to take a fee for their efforts then this has to be specified beforehand in order for them to take such an amount and not after the Qurbaani is made.[9]

AN ANIMAL BOUGHT ON CREDIT

[9] Fataawa Rahimiyyah vol.10 p.45

□….. It is not valid to make Qurbaani with an animal bought on credit because it is the possession of someone else.[10]

ISLAAMIC LANDMARKS

□….. The general practice in the world is to commemorate some great achievement. By and large, a statue, a figurehead, some special sculpture or building is erected and thought to be sufficient for this purpose whereby the person responsible for the great achievement is honored and revered. This objective will be achieved for some time but the essential heart and soul thereof does not remain alive.

This is why Islaam has given up the ancient custom of statues, figureheads and shapes of living objects and instead rendered adherence to their actions as a form of worship making it compulsory upon people till the Day of Qiyamah to do so. By means of doing this, not only does the memory of the individual's achievement remain fresh in the minds of people but the fervor to emulate their pious actions also remains alive. No matter how strong a statue or effigy may be, it finally falls prey to

[10] Shaami vol.6 p.331, Bada'i vol.5 p.77, Hindiyyah vol.5 p.303

the elements and withers away into non existence whereby every semblance of it is totally forgotten. **On the other hand, Islaamic commemorations remain alive till the Day of Qiyamah.**[11]

ADHA

….. Adha means Qurbaani. Youm-ul-Adha means the Day of Qurbaani.[12]

AOOZUBILLAH (TA'WWUDH) RECITED AFTER TAKBEER

….. The Imam must recite Aoozubillah after the extra Takbeers because Qiraat is recited after the extra Takbeers. According to Imam Abu Hanifa and Imam Muhammad 'Aoozubillah' is bond to the Qiraat. Yes, the Thana is recited between the Takbeer-e-Tahrima and the extra Takbeers.[13]

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[11] At Tafsir Al Muneer vol.23 p.122

[12] Shaami vol.6 p.311, Al Bahr vol.8 p.173, Fath ul Qadeer vol.8 p.424, Mirqaat al Mafateeh vol.3 p.302

[13] Shaami vol.1 p.489

[Type text]

THE BEST ANIMAL

□….. If there are many poor, destitute and needy people then an animal with more meat is superior and if needy people are few, it is superior to choose an animal the price of which is higher and its meat and quality is superior.[14]

□….. It is Mustahab to slaughter an animal which is plump, strong and healthy. It is therefore superior to make Qurbaani of one plump healthy goat than two weak and thin goats provided the meat is not bad.[15]

□….. If the price of a large animal, like a cow etc. wherein there are seven shares is the same as that of a goat and the meat is also of the same quality, it is superior to purchase a goat.[16]

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[14] Shaami vol.6 p.322, Aalamgiri vol.5 p.299

[15] Hindiyyah vol.5 p.300, Shaami vol.6 p.322, Bada'i vol.5 p.80, Mazaahir e Haq vol.2 p.305

[16] Shaami vol.6 p.322, Hindiyyah vol.5 p.299

□….. **A female goat is better than a sheep.**[17]

□….. The Qurbaani of a ram is better than that of a ewe.[18]

□….. The Qurbaani of an animal which is more expensive is better and if the price of two animals is the same but the meat of one is better, it will be superior to choose that one.[19]

DRAGGING UPSIDE DOWN

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17 Hindiyyah vol.5 p.300, Shaami vol.6 p.322

18 Shaami vol. 6 p.322, Hindiyyah vol.5 p.299

19 Shaami vol.6 p.322, Hindiyyah vol.5 p.299

[Type text]

….. It is Makrooh-e-Tahreemi to drag the animal by the back legs towards the front to the place of slaughtering.[20]

SAY 'ALLAHU AKBAR' AND SLAUGHTERING

….. Reciting 'Allahu Akbar' only when slaughtering an animal makes it Halaal and permissible for consumption but is contrary to the Sunnah. Therefore, one should recite, 'Bismillah Allahu Akbar' before slaughtering the animal.[21]

IT IS NOT NECESSARY TO SAY 'ALLAHU AKBAR'

….. **It is sufficient to say, 'Bismillah' at the time of slaughtering and it is not necessary to say 'Allahu Akbar' although saying, 'Bismillahi Allahu Akbar' is in keeping with the Sunnah.**[22]

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[20] Hindiyyah vol.5 p.287, Shaami vol.6 p.296, Bada'i vol.5 p.60-78

[21] Shaami vol.6 p.301, Bada'i vol. 5 p.48, Hindiyyah vol.5 p.286, Al Bahr vol.8 p.169

[22] Hindiyyah vol.5 p.285, Shaami vol.6 p.301

MONEY IN TRUST

□….. It is not permissible to purchase a Qurbaani animal with money held in trust. Yes, it will be permissible if permission from the owner is received. Other than this, it will be compulsory for the one making Qurbaani to return the money to the owner.[23]

A SPECIAL GIFT TO THE UMMAH OF MUHAMMAD □

□….. No permission to eat a sacrificial animal existed from the time of Adam □ right up to the time of Hadhrat Eesa □. In fact, a fire from the heavens would come and consume such Qurbaani which had been accepted by Allaah □ . **It is the special favour of Allaah □ upon the**

[23] Shaami vol.6 p.331, Hindiyyah vol.5 p.303, Bada'i vol.5 p.77

Ummah of Muhammad whereby the meat of the Qurbaani animal is Halaal for them.[24]

DISTRIBUTING MEAT BY ESTIMATION FOR SHARE-HOLDERS

….. **It is not permissible to distribute Qurbaani meat by estimation.** It is necessary to weigh equally when giving. If there is an excess or shortage of meat when giving the different shareholders their shares, it will amount to interest and the taking, giving and eating of interest is Haraam.[25]

BLIND

[24] Ahkaam wa Taareekh Qurbaani – Mufti Muhammad Shafi p.7, 8

[25] Al Bahr vol.8 p.174, Bada'i vol.5 p.67, Fath ul Qadeer vol.8 p.430, Shaami vol.6 p.317, Hindiyyah vol.5 p.306

….. It is not valid to make Qurbaani of a blind animal.[26]

EMPLOYEES OF INSURANCE COMPANIES

….. The basis of insurance is either interest or gambling and earning from both interest and gambling are Haraam. Therefore, to make Qurbaani with Haraam income is also not permissible. Thus, it will not be valid to include such a partner in collective or shared Qurbaani who earns only or mostly from an insurance company.

Yes, if such people possess Halaal wealth as well and such wealth is not mixed with their Haraam wealth it will be in order to make Qurbaani with such Halaal wealth. Alternately they should borrow money from someone with which to make Qurbaani. In both the latter cases their Qurbaani will be permissible.[27]

TRIPE

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[26] Hindiyyah vol.5 p.297, Al Bahr vol.8 p.176, Fath ul Qadeer vol.8 p.433, Shaami vol.6 p.323, Bada'i vol.5 p.75

[27] Shaami vol.6 p.385, vol.5 p.99, Hindiyyah vol.5 p.349, Shaami vol.6 p.326, Fath ul Qadeer vol.8 p.325, Jam' ul Jawami' vol.2 p.248, Musnad Ahmad vol.9 p.150

[Type text]

..... **It is permissible to eat tripe.**[28]

CHILDREN

..... If one's children are Sahib-e-Nisaab, It will be Waajib on them to make Qurbaani and if they are not Sahib-e-Nisaab, it is not necessary for the father to make Qurbaani on their behalf. Yet, if the father wants to make Qurbaani on their behalf, he will be rewarded for this.[29]

MAKING QURBAANI ON BEHALF OF CHILDREN

..... It is not Waajib for parents to make Qurbaani for their children, for example, a person has ten children and they all live together, Qurbaani will only be Waajib on the father, i.e. he will make Qurbaani on his name and not on the names of his children.[30]

..... If children are matured and all of them are wealthy, they are Sahib-e-Nisaab, in this case Qurbaani

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[28] Shaami vol.6 p.769

[29] Al Bahr vol.8 p.173, 178, Bada'i vol.5 p.64, 67, Hindiyyah vol.5 p.293, Shaami vol.6 p.315

[30] Hindiyyah vol.5 p.293

will be Waajib on all of them. Each of them will have to have a share. If the father makes Qurbaani on their behalf with their permission, then too, the Qurbaani will be in order and the father will receive the reward for having done so. If the father does not do it on their behalf, it will then be compulsory for each of them to make Qurbaani otherwise they will be sinful.[31]

…..**If the children are immature, then Qurbaani is not compulsory upon them.**[32]

CAMELS

….. Seven people can get together and have a share each in the Qurbaani of a camel. There is consensus on seven people having shares in the Qurbaani of a camel while the participation of more people, **ten people sharing is subject to a difference of opinion.**

[31] Al Bahr vol.8 p.178, Bada'i vol. 5 p.67, Shaami vol. 6 p.315, Fath ul Qadeer vol.8 p.427, Ibn Majah p.226

[32] Shaami vol.6 p.315, Al Bahr vol.8 p.173

[Type text]

Therefore, there is greater precaution in acting upon the unanimous point of view. [33]

DOUBT WITH REGARD TO AYYAAM-E-NAHR

….. If there is doubt whether it is the twelfth or thirteenth of Zil Hijjah one should not delay till the third day of Qurbaani. In the case where is a delay and one goes beyond the three days, it will be Mustahab to give the Qurbaani meat away as Sadaqah.[34]

MAKING QURBAANI FOR ESAAL-E-THAWAAB

….. It is permissible to make Qurbaani in order to convey Thawaab (reward) to those who have passed away and by doing so the deceased will benefit. **In fact, it will be valid to even include more than one person in a single share, so much so, that even if one makes Qurbaani on behalf of the entire Ummah in one share it will be in order.** In such a case, the entire Muslim Ummah will receive reward because the person making this intention for Esaal-e-Thawaab is the owner of the

[33] Bada'i vol.5 p.71, Fath ul Qadeer vol.8 p.429, Al Bahr vol.8 p.174, Footnotes of Ibn Majah p.226

[34] Aalamgiri vol.5 p.295

animal or of the share in the animal being slaughtered and since the reward is being conveyed to either the dead or the living, it will be valid to include more than one person in a single share.[35]

….. If the deceased has made Wasiyat (a bequest) for Qurbaani to be made on his behalf, then only a single share can be allocated for him and to make an intention for more than one person in such a share will not be valid.[36]

ONE OF THE SHAREHOLDERS DIES

….. Seven people got together and purchased a Qurbaani animal in which they each have share but before the Qurbaani is made, one of them passes away and the heirs of the deceased person gives the shareholders in the Qurbaani animal permission to go ahead and make the Qurbaani on his behalf along with their own, it will be permissible to do so and all their Qurbaani will deem to have been performed.[37]

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[35] Bada'i vol.5 p.72, Shaami vol.6 p.326

[36] Shaami vol.6 p.335, Bada'i vol.5 p.72

[37] Shaami vol.6 p.326, Bada'i vol.5 p.72, Hindiyyah vol.5 p.305

If they make Qurbaani without the permission of the heirs, then it is not valid and none of the shareholders' Qurbaani will be done.[38]

SLAUGHTERING SEVEN GOATS INSTEAD OF ONE

….. If Qurbaani is Waajib on a person and instead of slaughtering one goat he decides to slaughter seven goats, his Waajib Qurbaani will be offset by slaughtering one and the remaining six will be considered as Nafl Qurbaani but if instead of dividing a large animal into seven shares, a person makes Qurbaani of such an animal on his own, then the entire animal will deemed as his Waajib Qurbaani.[39]

BAA

HAIR

….. It is Mustahab for the person making Qurbaani to cut his hair once he has performed the Bakri Eid (Eidul-

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[38] Shaami vol.6 p.326, Al Bahr vol.8 p.178, Hindiyyah vol.5 p.305

[39] Khulaasatul Fataawa vol.4 p.315, Shaami vol.6 p.333, Bada'i vol.5 p.71

Adaa) Salaah followed by his Qurbaani. Even those who are not making Qurbaani will not be deprived of reward by imitating those making Qurbaani in this regard.[40]

….. The Qurbaani of an animal whose hair has been cut is in order.[41]

….. **It is not permissible to cut the hair of an animal once it has been purchased with the intention of Qurbaani[42] and if someone has done this, it will be Waajib for him to give its price in Sadaqah.[43]**

BURNING THE HAIR AND COOKING IT

….. It is permissible to burn the hair on the head and legs of the slaughtered animal after which the head and legs are cooked and eaten.[44]The hair is thus discarded.

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[40] Tirmizi vol.1 p. 278, Al Arf uz Shazi vol.1 p.278, Mirqaat ul Mafateeh vol.3 p.316

[41] Hindiyyah vol.5 p.298, Shaami vol.6 p.325, Bada'i vol.5 p.78

[42] Hindiyyah vol.5 p.300

[43] Hindiyyah vol.5 p.301, Bada'i vol.5 p.78, Shaami vol.6 p.329

[44] Shaami vol.3 p.773, Kifaayatul Mufti vol.5 p.263

BEING MATURE

□….. If a person becomes mature before sunset of the 10th -11th or 12th of Zil Hijjah and he is wealthy, one share in a Qurbaani will become Waajib on him.[45]

QURBAANI ON BEHALF OF MATURED CHIDLREN

□….. It is not the responsibility of a father to make Qurbaani on behalf of his matured children.[46] If matured children are wealthy, they should make their own Qurbaani or give permission to the father to do so on their behalf. A father can make Qurbaani of matured children with their permission.[47]

STERILE ANIMALS

□….. Qurbaani of sterile animals is in order because there is no command of impermissibility with regard to

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[45] Bada'i vol.5 p.64, Shaami vol.6 p.316

[46] Aalamgiri vol.5 p.293, Shaami vol.6 p.315, Bada'i vol.5 p.64, Al Bahr vol.8 p.178

[47] Bada'i vol.5 p.67, Al Bahr vol.8 p.178, Shaami vol.6 p.315

[Type text]

them and **sterility is not considered a fault for Qurbaani. Just as a castrated animal,** although being limited in its capacity, is not considered to be faulty for Qurbaani, so too, is a sterile animal not considered faulty for Qurbaani. In fact, sterile animals are generally more meaty and plump and the quality of the meat is also generally very good due to which Qurbaani of such an animal is permissible.[48]

MAD ANIMALS

□….. The Qurbaani of a **mad** animal is **in order** but if due to its madness, **it is unable to eat and drink, its Qurbaani will not be valid.[49]**

AN ANIMAL RELEASED IN THE NAME OF AN IDOL

□….. Releasing an animal in the name of some Mazaar (saintly person who has passed away) or an idol is totally

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[48] Hindiyyah vol.5 p.297, Shaami vol.6 p.325

[49] Aalamgiri vol.5 p.298, Shaami vol.6 p.323, Al Bahr vol.8 p.176

Haraam and a severely sinful act but by this Haraam action the animal does not become Haraam and in keeping with the principles of Shariah, it does not leave the possession of its owner (even though he believes according to his invalid belief that it is has left his possession and become the property of someone other than Allaah . According to Shariah his belief is wrong and the animal still belongs to him) therefore, if someone purchases this animal from its owner and makes Qurbaani, his Qurbaani will be valid. Similarly, if a butcher buy such an animal during any other period, slaughters it and sells the meat, it will be valid to buy and use such meat as well.[50]

SHINY PART OF TRIPE

….. The shiny part of tripe is Halaal without any abomination.[51]

CHILD

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[50] Ma'arif ul Qur'aan vol.2 p.423, 424, Fataawa Rahimiyya vol.10 p.54

[51] Shaami vol.6 p.749

[Type text]

….. Even if a child is wealthy, Qurbaani is still not Waajib on him due to which it is not necessary for a guardian to make Qurbaani on his behalf because for Qurbaani to become Waajib one has to be matured.[52]

CHILDREN

….. If children are at an age of understanding they can be taken to the Eidgah otherwise they must not be taken along.

BIG ANIMALS

….. By big animals is meant cows, oxen, buffaloes and camels both male and female.[53]

IT IS NOT NECESSARY FOR A BIG ANIMAL TO BE SHARED BY SEVEN PEOPLE

….. It is permissible for one person to make Qurbaani of a single big animal.[54]

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[52] Al Bahr vol.8 p.174, Shaami vol.6 p.315, Bada'i vol.5 p.64

[53] Hindiyyah vol.5 p.297, Bada'i vol.5 p.69, Al Bahr vol.8 p.174

….. It is not necessary for a big animal to be shared by seven people.[55]

Even if less than seven people share a Qurbaani animal it will be in order, for example if five or six people or even less than this share in such an animal then too, it will be valid. So much so, that even if a single person makes the Qurbaani of a large animal on his own this too is permissible.[56]

FORGETTINGTO SAY BISMILLAH

….. Even if a person forgot to recite, " بسم الله الله اکبر " and slaughtered an animal, then too, its meat will be Halaal and it is permissible to eat it. This is because it will be accepted that the one slaughtering it on the basis of being a Muslim does not slaughter on any name besides the name of Allaah .[57]

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[54] Bada'i vol.5 p.70, Al Bahr vol.8 p.174

[55] Bada'i vol.5 p.70

[56] Bada'i vol.5 p.70, Al Bahr vol.8 p.174, Hindiyyah vol.5 p.304

[57] Al Bahr vol.8 p.168, Hindiyyah vol.5 p.288, Shaami vol.6 p.299

THE WORDS OF BISMILLAAH

□….. At the time of slaughtering there is “Bismillah wa Allahu Akbar” with a letter ‘Waw’ as well as “Bismillah Allahu Akbar” without the letter ‘Waw’. It is better to recite it without a ‘Waw’. Then again, at some places “Allahu Akbar” comes before “Bismillah” while at others it comes after. All these different forms are permissible.[58]

HOW BISMILLAH MUST BE READ

□….. Zabah (slaughtering) is an action which is done by exercising one’s choice and to recite “Bismillaah” precisely when slaughtering is conditional. Thus, one has to slaughter while reciting “Bismillah”. **Nothing else should be done before reciting “Bismillaah” so much so, that if a person lays the animal down and recites “Bismillah” then leaves that animal alive after which he slaughters another animal with the same**

[58] Shaami vol.6 p.301, AL Bahr vol.8 p.169, Hindiyyah vol.5 p.286

"Bismillah" he had recited for the first animal, it will not be permissible to eat that slaughtered animal.[59]

GOATS

….. It is permissible to slaughter a goat.[60]

….. The condition for a goat is that it should be a year old.[61]

THERE IS ONLY ONE SHARE IN A GOAT

….. There is only a single share in one goat. If two people get together and make the intention for both their Qurbaani in the same animal, neither person's Qurbaani will be valid.[62]

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[59] Fataawa Siraajiyyah p.309, Hindiyyah vol.5 p.288, Al Bahr vol.8 p.169, Shaami vol.6 p.302

[60] Aalamgiri vol.5 p.297, Shaami vol.6 p.322, Al Bahr vol.8 p.177, Bada'i vol.5 p.69

[61] Aalamgiri vol.5 p.297, Shaami vol.6 p.321, Al Bahr vol.8 p.177, Bada'i vol.5 p.69

[62] Hindiyyah vol.5 p.297, Al Bahr vol.8 p.874, Bada'i vol.5 p.70, Takmila Fath ul Qadeer vol.8 p.429

PUTTING AN ANIMAL DOWN USING A GUN

….. If an animal is hunted using a gun and dies before one has the opportunity to slaughter it, such an animal will be Haraam. It will be considered to be carrion and is not permissible to eat.[63]

….. If a person at the time of firing the bullet says "Bismillah Allahu Akbar" and the animal is reached while it is still alive and one then recites "Bismillah Allahu Akbar" and slaughters it, it will be Halaal otherwise it will be Haraam.[64]

TO EXCHANGE AND MAKE EACH OTHERS QURBAANI BY MISTAKE

….. Two people purchased two goats for Qurbaani and by mistake one person slaughters the goat of the other, both people's Qurbaani will be valid and it will not be

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[63] Fataawa Siraajiyyah p.307

[64] Shaami vol.6 p.470, Al Bahr vol.8 p.223, Shaami vol.6 p.468

Waajib on either to substitute or give its value in money.[65]

ROASTING AND EATING

□….. It will be valid to roast Qurbaani meat on a fire and eat it.

BUFFALO

□….. The Qurbaani of buffaloes both male and female is permissible.[66]

A SQUINT ANIMAL

□….. The Qurbaani of a squint animal is valid.[67]

OXEN

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[65] Bada'i vol.5 p.67, Shaami vol.6 p.329, Al Bahr vol.8 p.179, Hindiyyah vol.5 p.305, Fataawa Siraajiyyah p.313

[66] Aalamgiri vol.5 p.297, Shaami vol.6 p.322, Al Bahr vol.8 p.177, Bada'i vol.5 p.69

[67] Hindiyyah vol.5 p.298, Al Bahr vol.8 p.176, Shaami vol.6 p.325

□….. The Qurbaani of oxen is permissible and the same applies to cows but it is conditional for them to be two years old.[68]

SLAUGHTERING BY ONE WHO DOES NOT PERFORM SALAAH

□….. It will be permissible to eat the meat of an animal slaughtered by a Muslim who does not perform Salaah, does not keep fast, does not remain in a state of ritual purity and also consumes alcohol in spite of all these actions. Such a Qurbaani will be in order and Halaal provided he did not give up reciting “Bismillah Allahu Akbar” at the time of slaughtering.[69]

WIFE

□….. If a wife is wealthy and a Sahibah-e-Nisaab or she has in her possession items in excess of necessity whereby Qurbaani becomes Waajib on her, it will be necessary for the wife to make Qurbaani of one share. **It**

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[68] Aalamgiri vol.5 p.297, Shaami vol.6 p.322, Al Bahr vol.8 p.177, Bada’i vol.5 p.69

[69] Shaami vol.6 p.296, 299, Hindiyyah vol.5 p.285, Al Bahr vol.8 p.178

is not necessary for the husband to make Qurbaani on behalf of his wife.[70]

□….. Yes, if with the permission of the wife, the husband makes Qurbaani on her behalf, her Qurbaani will be deemed to be made. If the husband does not make the Qurbaani on her behalf, it will be compulsory for her to make Qurbaani of one share.[71]

□…..It is not sufficient for the husband to slaughter on behalf of his wife or for the wife to make Qurbaani for the husband. It is necessary that they perform the Qurbaani separately.[72]

MAKING AN ANIMAL UNCONSCIOUS AND SLAUGHTERING

To render an animal unconscious by shooting it in the head or stunning it is not in keeping with the method of slaughtering according to the Sunnah method and

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[70] Shaami vol.6 p.312, Hindiyyah vol.5 p.292, Al Bahr vol.8 p.173

[71] Aalamgiri vol.5 p.293, Al Bahr vol.8 p.178, Shaami vol.6 p.315, Bada'i vol.5 p.67

[72] Al Bahr vol.8 p.173, Shaami vol.6 p.312, Hindiyyah vol.5 p.292

Islaamic teachings. There is a strong presumption of the animal being Haraam in such a case. If the death of the animal is certain due to the infliction of such an injury, it is useless to even pass the knife over its throat, for the animal will already be Haraam.[73]

PE

INTENDING TO SLAUGHTER AN ANIMAL RAISED AS A PET FOR QURBAANI

….. An intention was made to slaughter an animal which was raised as a pet in the home for Qurbaani during the days of Qurbaani. Due to this intention it will not be compulsory to make Qurbaani of such an animal. It is permissible to exchange or even sell such an animal. (Thus, it will not be compulsory for the person who owned this animal and made such an intention to make Qurbaani of that animal.)[74]

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[73] Shaami vol.6 p.296, Shaami vol.6 p.308, Shaami vol.6 p.296

[74] Shaami vol.6 p.321

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GIVING WATER TO DRINK

□….. It is Mustahab to give the Qurbaani animal water to drink before slaughtering it.[75]

THE HISTORY OF QURBAANI

□….. Slaughtering a Halaal animal with the intention of gaining nearness to Allaah □ began from the time Adam □ came to this world and the world was inhabited by human beings. **The very first Qurbaani was made by the two sons of Hadhrat Adam □, Haabil and Qaabil which means both of them made one Qurbaani each.**

Haabil slaughtered a ram and Qaabil offered some grain and other produce which he had cultivated. As was the custom, a fire came from the heavens and consumed the ram Haabil slaughtered and left the offering of Qaabil.[76]

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[75] Fataawa Rahimiyya vol.10 p.68

[76] Tafsir Ibn Katheer vol.2 p.48

The sign of acceptance when Qurbaani was made in the times of the previous Ambiya was this, whereby an accepted Qurbaani was consumed by a heavenly fire.[77]

THE REASON FOR NAMING TASHREEQ

□….. **The reason for naming the days of Tashreeq as Tashreeq is the fact that people used to slice the Qurbaani meat into pieces and dry them in the sun. Any such meat which had been dried in the sun was termed "Tashreeq-ul-Lahm".** Due to this connection it was termed the days of Tashreeq.[78]

□….. **According to some Ulema the reason for calling the Eid Salaah and the day of Qurbaani Tashreeq is the fact that the Eid Salaah is performed when the sun is shining.** This is also why the person who performs the Ishraaq Salaah is called a Mushriq, because he waits for the sun to rise. This is why the day of Eid is called Tashreeq.[79]

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[77] Tafsir Mazhari vol.2 p.188, Tafsir Ruh al Bayaan vol.2 p.458

[78] Al Bahr vol.2 p.164, Shaami vol.2 p.177, Fath ul Qadeer vol.2 p.48

[79] Fath ul Qadeer vol.2 p.48

DO NOT FAST DURING THE DAYS OF TASHREEQ

….. It is not valid to keep fast on the days of Tashreeq because those visiting the Kabah are the guests of Allaah and it is not fitting for guests to go the house of their host and keep fast.[80]

DISTRIBUTING THE MEAT BEFORE SHARING AMONG PARTNERS

….. The ruling with regard to giving away with permission, some meat from an animal which was slaughtered on behalf of numerous shareholders, it will be in order provided that there was no share based on a vow taken because in such a case, its distribution to the poor is not Waajib. On the other hand, if there was a vow taken by some shareholder and meat was given to a wealthy person, it is not permissible because in this case it is Waajib for the one taking the vow to give this meat away to the poor as Sadaqah. Thus, the gist of the matter is that the Qurbaani will be done but the person taking a

[80] Bada'i vol.2 p.78, Al Bahr vol.2 p.257, 258, Shaami vol.2 p.375

vow will have to offer the price of his share as Sadaqah which was given to some wealthy person.[81]

THE TAKBEERAAT-E-TASHREEQ

□….. Allahu Akbar Allahu Akbar Lailaha Illalahu Wallahu Akbar Allahu Akbar Walillahil Hamd[82]

□….. **It is Waajib to recite this Takbeer at least once from after the Fajr Salaah of the ninth Zil Hijjah to the Asr of the thirteenth Zil Hijjah immediately after the Fardh Salaah.[83]**

□….. Males should recite it aloud while ladies should recite it softly.[84]

□….. The Takbeer-e-Tashreeq should be recited immediately after the Salaam so much so that if one talks

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[81] Imdaad ul Fataawa vol.3 p.549

[82] Aalamgiri vol.1 p.152, Al Bahr vol.2 p.165

[83] Aalamgiri vol.1 p.152, Al Bahr vol.2 p.165, Bada'i vol.1 p.195, Shaami vol.2 p.178

[84] Shaami vol.2 p.179, 180

[Type text]

or intentionally breaks one’s Wudhu, the Takbeer-e-Tashreeq lapses.[85]

.....If a Salaat was missed during the days of Tashreeq and it was performed in that very year during the days of Tashreeq, then in this case too, it is necessary to say the Takbeer after making Salaam after the Fardh Salaat.[86]

.....It is necessary upon a Muqeem (resident) to recite the Takbeer e Tashreeq. Similarly, it is also necessary upon the Musaafir (traveller) due to following a Muqeem.[87]

.....It is Waajib upon those who are performing Salaat with Jama’ah as well as those performing alone, men and women to recite the Tabeer e Tashreeq.[88]

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[85] Aalamgiri vol.1 p.152, Al Bahr vol.2 p.165, Bada’i vol.1 p.196

[86] Aalamgiri vol.1 p.152, Al Bahr vol.2 p.166, Bada’i vol.1 p.198

[87] Shaami vol.2 p.179, Al Bahr vol.2 p.166, Bada’i vol.1 p.197, Shaami vol.2 p.180, Hindiyyah vol.1 p.152

[88] Shaami vol.2 p.180, Bada’i vol.1 p.197, Hindiyyah vol.1 p.152

IT IS WAAJIB TO SAY THE TAKBEER-E-TASHREEQ ONCE

□….. It is Waajib to say the Takbeer-e-Tashreeq once. **To say it more than this is not Waajib.**[89]

THE BEGINNING OF TAKBEER-E-TASHREEQ

□….. When Hadhrat Khallelullah Ibraheem □ was busy slaughtering his beloved son Hadhrat Ismaeel □ by the command of Allaah □ Hadhrat Jibraeel □ was on his way with a substitute for him from Jannah and the thought occurred to him that it should not happen that Hadhrat Ibraheem □ slaughters him in haste as a result of which these words were recited by him: الله أكبر الله أكبر when Hadhrat Ibraheem □ saw Hadhrat Jibraeel □ he recited: لا إله إلا الله والله أكبر and when Hadhrat Ismaeel received news of a substitute having been sent in his place he recited: **الله أكبر ولله الحمد**[90]

[89] Shaami vol.2 p.177, Hindiyyah vol.1 p.152, Al Bahr vol.2 p.164

[90] Al Bahr vol.2 p.165

[Type text]

THE QADHA OF TAKBEER-E-TASHREEQ

□…..If a person forgets to recite the words of Takbeer-e-Tashreeq after the Fardh Namaaz there is no Qadha for it later on. It will be necessary to make Taubah so that the sin can be forgiven.[91]

BY RECITING THE TAKBEER THE ANIMAL BECOMES HALAAL

□….. Once the animal is slaughtered after having recited "Bismillah Allahu Akbar" in whatever position the slaughtered animal will be Halaal even if the knife was passed over the throat while standing. If the one slaughtering is not punctual with his Namaaz and does not keep his fasts but is a Muslim and if while slaughtering he ensures that the appropriate veins are severed, the animal will become Halaal.[92]

THE SOUND OF THE TAKBEER

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[91] Al Bahr vol.2 p.165, Bada'i vol.1 p.196

[92] Al Bahr vol.8 p.167, 169, Hindiyyah vol.5 p.285, 288

□….. It is necessary to say the Takbeer with a moderate voice. Many people err in this regard by reciting it softly. Rectifying this is necessary.[93]

RECITNG BISMILLAH FOR ALL SHAREHOLDERS

□….. It is not necessary to recite "Bismillah" separately for each shareholder in an animal being slaughtered for Qurbaani. It is necessary only for the person doing the actual slaughtering or the person applying his strength to the hand of the one holding the knife to recite "Bismillah". It is not necessary for the person taking part in the Qurbaani or for those holding the legs of the animal to recite "Bismillah".[94]

IT IS MUSTAHAB TO GIVE A THIRD AS SADAQAH

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[93] Shaami vol.2 p.179, Aalamgiri vol.1 p.152, Ahkaam wa Taarikh Qurbaani p.34

[94] Hindiyyah vol.5 p.304

[Type text]

…… It is Mustahab to allocate a third of the meat from the Qurbaani animal for Sadaqah but it is better for one who has family or is a member of tribe not to allocate anything for Sadaqah but to rather keep all the meat for his family members.[95]

UDDERS

…… If milk from one udder of a goat or sheep is not coming down slaughtering it for Qurbaani is not valid, for this is an animal that has a defect and by slaughtering a defective animal the Qurbaani is not sound.[96]

…… If milk from both udders of a cow, buffalo or camel is not coming down, slaughtering it for Qurbaani is not sound either. [97]

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[95] Fataawa Siraajiyyah p.315, Bada'i vol.5 p.81, Hindiyyah vol.5 p.300, Shaami vol.6 p.328

[96] Shaami vol.6 p.324, 325, Hindiyyah vol.5 p.299

[97] Ibid

□….. If the udder of an animal is cut or injured to such an extent that it's young is unable to drink milk there from, then too, making Qurbaani of such an animal is not valid.[98]

□….. If one udder of a camel, cow or buffalo happens to dry up, Qurbaani of such an animal will still be permissible but if both udders become dry or get cut, Qurbaani will not be permissible.[99]

□….. An animal whose udders have already become dry cannot be selected for Qurbaani.[100]

□….. Qurbaani of an animal which does not have udders is not valid.[101]

JEEM

[98] Shaami vol.6 p.324. Hindiyyah vol.5 p.298

[99] Shaami vol.6 p.324, 325, Hindiyyah vol.5 p.299

[100] Hindiyyah vol.5 p.298, Shaami vol.6 p.324, Al Bahr vol.8 p.176

[101] Hindiyyah vol.5 p.298, Shaami vol.6 p.324, Al Bahr vol.8 p.176

SLAUGHTERING AN ANIMAL WITH THE INTENTION OF SACRIFICING A LIFE FOR A LIFE

….. The exchanging of a life for a life, by sacrificing the life of an animal in exchange for the life of a person. In other words, asking Allaah to accept the life of the animal being slaughtered in exchange for the life of a person. Such a thought has no foundation and is not proven from any source of the Shariah. Yes, the valid and permissible way of doing this is to slaughter an animal for the sake of Allaah and to have this thought that just as monetary Sadaqah attracts the Mercy of Allaah so too, will this sacrifice attract the Mercy of Allaah and through His Mercy, Allaah and through His Mercy, Allaah will grant Shifa-cure to the patient.[102]

….. Some people consider the sacrifice of a life for a life to be necessary as Sadaqah and thereby leave the goat with the patient the entire night while other people pass the hand of the patient over it before giving it away

[102] Shaami vol.6 p.320, Kifaayatul Mufti vol.8 p.252

[Type text]

in charity with this thought in mind that by passing the hand of the patient all the ailments and problems are passed over to the animal which then leave the patient when it is given away in charity. They believe that by sacrificing the life of the animal the life of the patient is saved. Such beliefs are contrary to the Shariah and it is not valid to harbor such beliefs.[103]

BUYING AN ANIMAL ON CREDIT FOR QURBAANI

…… It is permissible to purchase a Qurbaani animal on credit and it is necessary to pay for the animal later on.[104]

THE PERSON PASSES AWAY AFTER PURCHASING A QURBAANI ANIMAL

…… If a person who is a Sahib-e-Nisaab purchases an animal for Qurbaani and passes away during the days of Qurbaani, the animal will then form part of the estate of the deceased and all the heirs will have a due share in the animal in keeping with the Shariah. The heirs now have a choice either to sacrifice this animal as Qurbaani and

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[103] Ibid

[104] Ahsan ul Fataawa vol.7 p.513

thereby allow it to be a form of Esaal-E-Thawaab or they can share it in keeping with the division of the estate.[105]

It should be noted that in the case of the heirs opting to sacrifice it for the sake of Esaal-e-Thawaab for the deceased, it is conditional for the heirs to all be matured. The permission of immature heirs is not reliable.

ONE IS UNABLE TO MAKE QURBAANI AFTER PURCHASING THE ANIMAL

….. Qurbaani was Waajib on a person but all three days of Qurbaani pass without the person sacrificing an animal. **He will then have to give in charity the value of a sheep or goat.** If he had already purchased an animal for Qurbaani but was unable to slaughter for some reason, this living animal must be given away in Sadaqah. It the person sacrificed the animal after the days of Qurbaani had already passed due to ignorance of the rules, he will now have to distribute all the meat to

[105] Hindiyyah vol.5 p.293, Al Bahr vol.8 p.175, Shaami vol.6 p.326, Bada'i vol.5 p.72

the poor. Such meat cannot be given to a wealthy person.[106]

If the animal is destroyed and the person is unable to make Qurbaani and such a person is wealthy, it will be Waajib for him to give the value of the animal in Sadaqah.[107]

THE ANIMAL SHOULD SUFFER AS LITTLE AS POSSIBLE

….. At the time of slaughtering due arrangements must be made to ensure that the animals suffer as little as possible because of which the command is for one to ensure that that the knife is very sharp and that an animal must not be slaughtered where it can be seen by other animals. The required veins should be properly severed so that life leaves the animal easily. The knife should not be sharpened in front of the animals.[108]

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[106] Shaami vol.6 p.321, Hindiyyah vol.5 p.294, 296, Bada'i vol.5 p.67, Fataawa Siraajiyyah p.315

[107] Shaami vol.6 p.321, Hindiyyah vol.5 p.294, Al Bahr vol.8 p.176

[108] Al Bahr vol.8 p.170, Shaami vol.6 p.294, 296, Hindiyyah vol.5 p.287

THERE WAS NO INTENTION OF QURBAANI AT THE TIME OF PURCHASING THE ANIMAL

…….. If at the time of purchasing an animal the intention was not to use it for Qurbaani and the intention to do so was made later, it will not be compulsory to make Qurbaani of this animal.[109]

IT IS MORE MERITORIOUS TO CARE FOR AND NURTURE THE ANIMAL SOME TIME BEFORE QURBAANI

…….. It is more praiseworthy to care for and nurture the Qurbaani animal for some time beforehand so that love for the animal increases and greater reward can be reaped for sacrificing an animal that was beloved to one.[110]

QURBAANI OF AN ANIMAL IS AN ACT OF WORSHIP

…….. Qurbaani was established as an act of worship and a means of attaining closeness to Allaah from the time

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[109] Shaami vol.6 p.321

[110] Bada'i vol.5 p.78, Hindiyyah vol.5 p.300

[Type text]

of Hadhrat Adam . During that time there was a special sign of acceptance whereby a fire from the heavens would come and consume the animal after it was slaughtered.[111]

THE ANIMAL GETS LOST

….. If a Saahib-e-Nisaab purchased an animal for Qurbaani and thereafter the animal gets lost subsequent to which he purchases a second animal but before making Qurbaani the initial animal is found and he now has two Qurbaani animals in his possession, it will now be Waajib for him to sacrifice one of the two animals and not both for Qurbaani. Yes, it will be Mustahab to sacrifice both the animals.[112]

On the other hand, if this happens in the case of some poor person, it will be Waajib for him to sacrifice both the animals because Qurbaani is not Waajib on such a poor person but since he purchased an animal for Qurbaani, it has now become Waajib upon him and since

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[111] Tafseer Mazhari vol.2 p.188, Tafsir Ruh al Bayan vol.2 p.458

[112] Shaami vol.6 p.326

he purchased two animals with this intention, sacrificing both have now become Waajib upon him.[113]

ANIMALS GET EXCHANGED

…….. If an animal was purchased for Qurbaani and another animal had to be given instead, the second animal should not be less in value than the first. If the second animal was bought for less than the value of the first animal, the difference in value must be given away as Sadaqah.[114]

ANIMALS BECOME UNAVAILABLE OR SCARCE

…….. If in some country or area Qurbaani animals become scarce or unavailable due to war, riots, mutiny, curfew, murder and pillage or floods etc. and in spite of searching, one does not find an animal within the three days of Qurbaani, one should then give away in charity

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[113] Al Bahr vol.8 p.175, Bada'i vol.5 p.66, Hindiyyah vol.5 p.294, Shaami vol.6 p.326

[114] Hindiyyah vol.5 p.294, Al Bahr vol.8 p.175

the value of a Qurbaani animal or the value of the share in a big animal.[115]

THE AGES OF ANIMALS

…... The ages of animals for Qurbaani are fixed:

A goat: One year old.[116]

A cow, buffalo or ox: Two years old.[117]

A camel: Needs to be five years old.[118]

If the animals for Qurbaani are younger than this, their Qurbaani will not be permissible.

…... If a ram or ewe is older than six months but less than a year old but is so fat and healthy that it appears to be a year old and if left among year old rams and ewes, it

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[115] Shaami vol.6 p.321, Kifaayatul Mufti vol.8 p.212

[116] Shaami vol.6 p.322, Hindiyyah vol.5 p.297, Bada'i vol.5 p.70, Al Bahr vol.8 p.177

[117] Al Bahr vol.8 p.177, Bada'i vol.5 p.70, Shaami vol.6 p.322

[118] Shaami vol.6 p.322, Bada'i vol.5 p.70, Al Bahr vol.8 p.177, Hindiyyah vol.5 p.297

does not appear to be younger than them, Qurbaani of such an animal is also permissible. If it is less than six months old, its Qurbaani is not permissible even though it is very healthy and fat. This rule of being less than a year applies only to sheep, rams and ewes.[119]

….. If an animal falls short by a day or so in reaching the one year mark, its Qurbaani will not be valid.[120]

….. If there is predominant certainty of an animal having reached the right age it will be valid to make its Qurbaani otherwise not. If an animal appears to be of the right age but it is known with certainty that it has still not reached that mark, Qurbaani of such an animal will not be valid. (The exception, as discussed above is in the case of a sheep be it a ram or a ewe.)[121]

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[119] Al Bahr vol.8 p.177, Fath ul Qadeer vol.8 p.435, Shaami vol.6 p.322

[120] Shaami vol.6 p.322, Hindiyyah vol.5 p.297, Bada'i vol.5 p.79

[121] Shaami vol.6 p.322, Aalamgiri vol.5 p.297

[Type text]

….. If an animal appears to be under age but it is known with certainty that it has reached the appropriate age, its Qurbaani will be valid.[122]

THERE WILL NOT BE A SHORTAGE OF ANIMALS

….. There will never be a shortage of animals in the world. **The system of Allaah's provisional power is such that He provides items in keeping with the necessity for them.** When there is a decline in need for something, it decreases as well as in the case of a well, proportionate to the amount of water removed from the well, that much is still to be found.[123]

PROPERTY IS OWNED IN PARTNERSHIP

….. If a person has four sons and they earn along with the father, their earnings being very good. They possess everything a household needs, they own mansions, land and property, wealth and gold, they all have wives and children etc. and they all live together, sharing their expenses, eating together. The father has given them all

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[122] Shaami vol.6 p.322

[123] Ahkaam wa Tarikh e Qurbaani p.29, 30

permission to spend as they see fit. In such a situation where all the shareholders are Sahib-e-Nisaab, it will be Waajib for each of them to have a share in Qurbaani as well. One share will be for the father along with four other shares, one for each son. If their wives too, are Sahib-e-Nisaab, then a share each for them will also be Waajib.

….. If four brothers are partners and each of them possesses the Nisaab, the father passes away and after dividing the inheritance they do not separate but continue as partners in their earnings then on the basis of each of them being a Sahib-e-Nisaab, Qurbaani will be Waajib on each of them separately and not that they can all participate in a single share, for this will not be valid.[124]

QURBAANI OF JERSEY COWS

….. Definition: A Jersey cow is not born in the natural way with a bull and cow having intercourse but when the cow is in heat and she needs a bull as is understood by experts, who then impregnate her with the sperm of an

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124 Shaami vol.6 p.312, Hindiyyah vol.5 p.292, Al Bahr vol.8 p.174, Bada'i vol.5 p.64, Fath ul Qadeer vol.8 p.425

imported bull artificially. The calf born in this way is called a Jersey cow. The cow is not mounted as normally happens.

Since the sperm is that of an imported bull which is artificially impregnated into the cow and the calf is born in this way, it will be termed a calf, the baby of a cow and its consumption is Halaal and it will also be permissible to make Qurbaani with such an animal. Nonetheless, Qurbaani is a great form of Ibaadat and it is better to use such an animal for sacrifice in which there is absolutely no form of doubt. When one is able to procure an animal which is free of doubt there will be greater caution than in using such a doubtful animal. Therefore, it is not advisable to use such a doubtful animal when there is no helplessness in doing so.[125]

SKIN AILMENTS

□….. Qurbaani of an animal which has a skin disease which does not reach the meat is sound but if the disease

[125] Aalamgiri vol.5 p.297, Fataawa Rahimiyyah vol.10 p.55, Bada'i vol.5 p.69, Shaami vol.6 p.322, Al Bahr vol.8 p.177

[Type text]

or sore reaches the meat, Qurbaani with such an animal will not be valid.[126]

JHOOL

□….. To tan (make biltong) of a Qurbaani animal is Mustahab and if it is sold, it will be Waajib to give its value in Sadaqah.[127]

HAA

HAAJI

□….. If a Haaji is a Musaafir, Qurbaani is not Waajib on him. If he makes Qurbaani happily, he will be rewarded for it.[128]

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[126] Shaami vol.6 p.323, Al Bahr vol.8 p.176

[127] Aalamgiri vol.5 p.300, Shaami vol.6 p.329, Bada'i vol.5 p.78

□….. If a Haaji is a Muqeem and apart from his expenses for Hajj, he possesses the amount equal to Nisaab, it will be compulsory for him to make Qurbaani.[129]

□….. It is compulsory for the one who is making Hajj-e-Qiraan and Hajj-e-Tamattu to sacrifice as Dam-e-Shukr ; one part in a large Qurbaani animal, or a sheep or goat within the precincts of the Haram. This is over and above the normal Qurbaani that is slaughtered annually at one's hometown. **Both these are separate and to regard them as one and the same is invalid.[130]**

□….. If the residents of Makkah are Sahib-e-Nisaab and are performing Hajj, then too, Qurbaani will be compulsory upon them.[131]

TRIMMING/CUTTING THE HAIR

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[128] Bada'i vol.5 p.63, Shaami vol.6 p.315

[129] Bada'i vol.5 p.63, Al Bahr vol.8 p.173, Fath ul Qadeer vol.8 p.425, Shaami vol.6 p.312, Aalamgiri vol.5 p.292

[130] Bada'i vol.2 p.174

[131] Bada'i vol.5 p.63, Shaami vol.6 p.315

…... It is Mustahab for one performing Qurbaani to trim his hair only after having sacrificed his Qurbaani animal. This is not Mustahab for one who is not performing Qurbaani. Nonetheless, if he does so to imitate those who are making Qurbaani, his action will not go without reward.[132]

HARAAM THINGS

…... There are seven such things even in a Halaal animal which are not permissible to be eaten. They are:

- …... Flowing blood.
- …... The penis.
- …... The testicles.
- …... The anus.
- …... The glands.
- …... The bladder.

[132] Tirmizi vol.1 p.278, Mirqaat ul Mafateeh vol.3 p.306

[Type text]

…… The spleen.[133]

In both Kanz and Tahaawi it is stated that the marrow which runs between the spines from the lower back up to the neck is also Haraam.[134]

SLAUGHTERING BY ONE WHO IS ILLEGITIMATE

…… If an illegitimate individual is a Muslim, it will be permissible to eat of the animal slaughtered by him. Eating such meat is permissible.[135]

A PREGNANT ANIMAL

…… It is in order to make Qurbaani of an animal that is pregnant but it is Makrooh to purposely do so at a time when it is close to delivery. **After slaughtering the animal, one will also have to slaughter the young that is removed and to eat it is Halaal. If it is stillborn, it**

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[133] Shaami vol.6 p.749

[134] Tahtaawi ala Ad Durr vol.4 p.360

[135] Shaami vol.6 p.296, Al Bahr vol.8 p.168, Hindiyyah vol.5 p.285, Bada'i vol.5 p.45

will not be valid to eat it. If it dies before being slaughtered, its meat is Haraam.[136]

…… If the young that came out of the mother's womb is not slaughtered and the days of Qurbaani expire, the living calf should be given away in Sadaqah. **If it was slaughtered after the days of Qurbaani have already passed and is eaten, then the value of the animal has to be given in Sadaqah. To do this is compulsory.**

…… If the calf is raised to adulthood and slaughtered as Qurbaani, one's Waajib Qurbaani will not be fulfilled. The entire animal's meat has to be given away as Sadaqah. If Qurbaani was Waajib on this person, he will have to slaughter another animal to fulfill his Qurbaani.[137]

SHARES

…… Big animals like, cows, oxen, buffaloes and camels are made up of seven shares. Therefore, seven people

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[136] Aalamgiri vol.5 p.287, Shaami vol.6 p.322, Hindiyyah vol.5 p.301

[137] Shaami vol.6 p.322, Hindiyyah vol.5 p.302

[Type text]

can get together and divide a big animal into seven shares and each of them makes their Qurbaani in this one animal. **The condition for this is that no shareholder's share be less than a single share and that each one's intention is to make Qurbaani or Aqiqah.** The intention must not be merely to eat the meat or feed it to other people. If any person's share is less than a single full share, the Qurbaani will not be in order.

□….. The way in which a share is less than required is when there are more than seven shareholders in a single big animal. For example, eight people have shares in a single big animal as a result of which each person's share will be less than one full share or one seventh of the animal due to which not a single person's Qurbaani will be fulfilled. Even if a shareholder takes half or a third or less than his allotted share, then too, the Qurbaani will not be valid.[138]

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[138] Al Bahr vol.8 p.174, 178, Bada'i vol.8 p.178, Hindiyyah vol.5 p.305, Bada'i vol.5 p.71, Shaami vol.6 p.326, Fath ul Qadeer vol.8 p.435

KHAA

ITCHING ANIMAL

□….. It is in order to make Qurbaani of an animal that itches but if due to this the animal has become completely weak or if the itch proceeds from the skin and effects the meat, Qurbaani of such an animal will not be valid.[139]

A CASTRATED ANIMAL

□….. It is permissible to slaughter a castrated, sheep, goat or ox for Qurbaani. There is no form of abhorrence in this even if both the testicles have been removed or suppressed. Qurbaani of both will be in order. The reduction of the organ or its being crushed to uselessness is equal. This act is resorted to in order to improve the quality of the meat due to which there is no abhorrence.[140]

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[139] Shaami vol.6 p.323, Fath ul Qadeer vol.8 p.434, Al Bahr vol.8 p.176, Bada'i vol.5 p.76

[140] Hindiyyah vol.5 p.299, Bada'i vol.5 p.80, Al Bahr vol.8 p.176, Shaami vol.6 p.323

□….. Nabi □ made Qurbaani of a castrated animal, therefore there is no fault in doing so. This leads to an improvement in the quality of the meat and eradicates the odour. The meat develops well and is delicious to eat. The animal remains strong and healthy and is not aggressive toward people.[141]

CASTRATING AN ANIMAL

□….. It is permissible to castrate an animal in order to improve its condition, to make it plumper or with the intention of any other benefit. If the process of castration is not for some beneficial purpose but merely for fun, it is Haraam to do so.[142]

HERMAPHRODITE

□….. **It is not permissible to make Qurbaani of an animal that is a hermaphrodite.[143]**

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[141] Al Bahr vol.8 p.176, Bada'i vol.5 p.80, Fath ul Qadeer vol.8 p.434

[142] Shaami vol.6 p.388, Hindiyyah vol.5 p.357, Al Bahr vol.8 p.204, Takmila Fath ul Qadeer vol.8 p.497

[143] Hindiyyah vol.5 p.299, Shaami vol.6 p.325

□….. If an animal appears to have a gender but is genderless from birth and is a hermaphrodite, its Qurbaani is not in order.[144]

CHE

FAT

□….. It is not permissible to sell the fat of a Qurbaani animal. If the person making Qurbaani or his agent sold the fat, it will be compulsory to give the proceeds as Sadaqah to someone who is eligible for receipt of Zakaat.[145]

□….. When collective Qurbaani is made, a large amount of fat is gathered. The valid way to dispose of it is to sell it with the permission of all the shareholders and to donate the amount materialized towards the upkeep of poor students in a Madrasah or to make a deserving person the owner thereof.

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[144] Ibid

[145] Hindiyyah vol.5 p.301, Bada’i vol.5 p.81, Al Bahr vol.8 p.178

THE RULE REGARDING THE QURBAANI ANIMAL’S HIDE

….. **Before selling the Qurbaani animal’s hide, it can be used for oneself or even given to a wealthy person as a gift.** It can also be given as Sadaqah to the poor and needy. If the hide has been sold, then no matter with what intention it was sold, it will be Waajib to give this money away as Sadaqah which can only be given to the poor and needy. It will not be permissible to give this money to the wealthy, to workers and teachers as a part of their salary.[146]

STOLEN ANIMALS

….. A person purchases an animal for Qurbaani and later finds out that it was a stolen. If the person bought it from the person who had stolen it, Qurbaani will not be

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[146] Al Bahr vol.8 p.178, Shaami vol.6 p.328, Al Jawhara An Nayyirah vol.2 p.245, Hindiyyah vol.5 p.301, Bada’i vol.5 p.81, Fath ul Qadeer vol.8 p.437

permissible. It will be necessary to buy another animal and make Qurbaani.[147]

….. If after the animal is slaughtered, the actual owner gives permission, it will in order to eat the meat, otherwise not.[148]

KNIFE

….. The knife used to slaughter an animal for Qurbaani must be sharp so that the animal is subject to the least amount of suffering. The knife should not be sharpened in front of any animals.[149]

HOLDING THE KNIFE ALONG WITH THE SLAUGHTERER

….. When a person holds the knife along with the person that is actually slaughtering, it is Waajib for that person to recite "Bismillah Allahu Akbar" otherwise the animal will be Haraam and eating its meat will not be

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[147] Bada'i vol.5 p.76, Kifaayatul Mufti vol.8 p.197

[148] Hindiyyah vol.5 p.303, Al Bahr vol.8 p.179

[149] Hindiyyah vol.5 p.287, Al Bahr vol.8 p.170, Shaami vol.6 p.296

permissible. This is not the case with those who are assisting by holding the feet, head etc.[150]

SMALL ANIMALS

…… By a small animal is meant a ram or ewe of a sheep or goat.[151]

SMALL VILLAGE

…… People living in a small village where Jumuah and Eidain Namaaz is not Waajib, are allowed to slaughter their Qurbaani on the morning of the tenth of Zul Hijjah after Subah Sadiq. This is substantiated by the Hadeeth Shareef which explains that it is forbidden to slaughter Qurbaani animals in a place where Eid Namaaz is performed before the Eid Namaaz. Where the Eid Namaaz does not take place as in the case of small

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[150] Shaami vol.6 p.334, Hindiyyah vol.5 p.286, 304

[151] Hindiyyah vol.5 p.297, Shaami vol.6 p.322, Bada'i vol.5 p.69

villages etc. there is no harm in doing the Qurbaani after the Fajr Namaaz.[152]

DAAL

SLAUGHTERING A BRANDED ANIMAL FOR QURBAANI

The slaughtering of branded animals for Qurbaani is permitted without any abhorrence because the branding is done for sound reasons and this does not affect the meat in any way whatsoever.[153]

TEETH

…... **It is not valid to slaughter an animal for Qurbaani which has no teeth at all.** If some teeth have fallen out, it should be determined whether the teeth

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[152] Al Muheet Al Burhaani vol.8 p.461, Shaami vol.6 p.318, Al Bahr vol.8 p.175, Bada'i vol.5 p.73, Hindiyyah vol.5 p.295, Fath ul Qadeer vol.8 p.431

[153] Fataawa Rahimiyya vol.10 p.50

remaining are more than those which fell out, in which case Qurbaani of such an animal will be sound.[154]

….. If a sheep or goat is a year old, a cow, ox or buffalo is two years old and a camel is five years old, such animals will be acceptable for Qurbaani even though their teeth may not have come out. The required condition is reaching the appropriate required age. Thus, if in spite of a single tooth not having come out, the Qurbaani will still be valid due to the animals having reached the required age which is the condition for Qurbaani.[155]

….. If all an animal's teeth have fallen out due to old age but have no problem in grazing and eating fodder, its Qurbaani will be in order. Yes, if it is not able to graze and eat fodder properly, its Qurbaani will not be valid as has been discussed in no. 1.[156]

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[154] Shaami vol.6 p.324, Hindiyyah vol.5 p.298, Bada'i vol.5 p.75, Al Bahr vol.8 p.176, Fath ul Qadeer vol.8 p.434

[155] Bada'i vol.5 p.70, Hindiyyah vol.5 p.297, Al Bahr vol.8 p.177, 178, Fath ul Qadeer vol.8 p.434

[156] Aalamgiri vol.5 p.298, Bada'i vol.5 p.75, Shaami vol.6 p.324, Fath ul Qadeer vol.8 p.434, Al Bahr vol.8 p.176

DUAA

□….. On laying the animal down facing the Qiblah, it is better to recite this verse:[157]

إنی وجهت وجهی للذی فطر السموت والأرض حنیفا وما أنا من المشرکین ان صلاتی ونسکی ومحیای ومماتی لله رب العالمین

Just before slaughtering, recite this Duaa:

اللهم منك ولك

Then say: بسم الله اکبر and slaughter the animal. After slaughtering recite this Duaa:

اللهم تقبله منی کما اقبلت من حبیبك محمد وخلیلك ابراهیم علیهما الصلاة والسلام

If one is slaughtering on behalf of someone else then instead of "منی" say فلان" mentioning the name of the person.[158]

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[157] Bada'i vol.5 p.60, 80, Hindiyyah vol.5 p.288, Al Bahr vol.8 p.170,

[158] Abu Dawud vol.2 p.30, Mishkaat p.129, Bada'i vol.5 p.80, Mishkaat p.127, Al Bahr vol.8 p.169

[Type text]

IT IS NOT NECESSARY TO RECITE THE DUAA

▯….. It is not compulsory to recite the above mentioned Duaa when slaughtering Qurbaani animal but is better to do so. If one slaughters the animal after reciting, “ ” the Qurbaani will be in order and eating the meat will be permissible.[159]

TAIL

▯….. **An animal which does not have a tail from birth is not permissible for Qurbaani.** If an animal does have a tail but a third or more than a third is cut off, such an animal too, will not be permissible for Qurbaani.[160]

▯….. According to one opinion if the animal has half a tail, whereby half has been cut off, it will be acceptable for Qurbaani. Consequently, if one is at such a place

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[159] Al Muheet Al Burhaani vol.8 p.451, Shaami vol.6 p.301

[160] Shaami vol.6 p. 323, 324 Hindiyyah vol.5 p.297, 298, 299 Al Bahr vol.8 p.176, 177, Fath ul Qadeer vol.8 p.433, Bada’i vol.5 p.75

where animals with full tails or animals with tails cut to less than a third are not found, in such places, due to circumstances, Qurbaani of such animals will be permitted.[161]

…… NOTE: In Africa the tails of animals are cut due to their opinion that this prevents the animals from being exposed to disease as a result of which animals with complete tails cannot be found. Therefore, if people there do not find sheep with full tails in spite of searching, will be allowed to make their Qurbaani with such tailless animals.

ANIMALS WITH CUT TAILS

…… Qurbaani of animals whose tails are cut off by more than a third is not valid.[162]

FAT TAILED RAM'S TAIL NOT TAKEN INTO CONSIDERATION

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[161] Ibid

[162] Hindiyyah vol.5 p.298, Shaami vol.6 p.323, Al Bahr vol.8 p.177, Fath ul Qadeer vol.8 p.433, Bada'i vol.5 p.75

….. Some sheep have fatty tails. If these tails are broken or completely cut off, then too Qurbaani of such animals is permissible because such tails are not taken into consideration.[163]

REMOVING MILK

….. To milk an animal after having bought it for Qurbaani is not permissible. If one has done this, it will be Waajib to give this milk or its equivalent value away in Sadaqah.[164]

ANOTHER ANIMAL AT A LOWER PRICE

….. Look under the section on "Animals being exchanged."

QUBAANI ON BEHALF OF ANOTHER PERSON

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[163] Shaami vol.6 p.325, Bada'i vol.5 p.75, Al Bahr vol.8 p.176, Hindiyyah vol.5 p.297

[164] Al Bahr vol.8 p.179, Bada'i vol.5 p.78, Hindiyyah vol.5 p.301, Shaami vol.6 p.329

□….. It is necessary to take permission from a person when performing his Waajib Qurbaani otherwise, that person's Waajib Qurbaani will not be fulfilled.[165]

□….. If the practice and custom in an area is to perform Qurbaani on behalf of one's family members then in such places making Waajib Qurbaani on behalf of family members and relatives will be valid even though done without their permission.

□….. If this practice or custom is not found in an area, it will not be valid to make Qurbaani on their behalf without their permission. If this is done, their Qurbaani will not be fulfilled. [166]

□….. Permission to make Nafl Qurbaani on behalf of someone else is not necessary.[167]

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[165] Bada'i vol.5 p.67, Al Bahr vol.8 p.178, Hindiyyah vol.5 p.302, Shaami vol.6 p.315

[166] Shaami vol.6 p.315

[167] Shaami vol.6 p.326, Bada'i vol.5 p.72

[Type text]

…….. It is permissible to make Nafl Qurbaani on behalf of both living and dead people because the owner of the Nafl Qurbaani is the one who is slaughtering it while the person on behalf of whom it is being made merely receives the reward thereof.[168]

QURBAANI ABROAD

…….. Look under the section on, “Sending money and making Qurbaani in another country.”

DHAAL

SLAUGHTERING WITH ONE’S OWN HANDS

…….. It is better to slaughter one’s Qurbaani animal with one’s own hands. If one does not know how to slaughter, one can get it done by someone else but it is better to remain standing before the animal at the time of it being slaughtered. And one should also make Talqeen of “ بسم

[168] Shaami vol.6 p.326, Bada’i vol.5 p.72

بسم الله أكبر" so that the one slaughtering does not make a mistake.[169]

ZABAH IKHTIYARI

□….. Zabah Ikhtiyari means slaughtering an animal with a sharp edged object or slaughtering a camel by piercing its throat.[170]

ZABAH IDHTIRARI

□….. Zabah Idhtirari means wounding an animal with a sharp edged knife or pointed instrument after saying "Bismillaah Allaahu Akbar" on any part of the body possible so that it can bleed out. This Idhtirari Zabah is acceptable in the case where an animal cannot be controlled sufficiently enough to allow for it to be slaughtered in the normal manner. As an example, an animal is bogged down in mud and in trying to pull it out, it is now on the verge of death or if it has fallen into

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[169] Hindiyyah vol.5 p.300, Bada'i vol.5 p.79, Al Bahr vol.8 p.179, Shaami vol.6 p.328

[170] Hindiyyah vol.5 p.300, Al Bahr vol.8 p.170, 171, Bada'i vol.5 p.80, Shaami vol.6 p.303, Fath ul Qadeer vol.8 p.416

a trench or well and cannot be removed alive. In such cases slaughtering in this way is acceptable.[171]

TAKING A WAGE FOR SLAUGHTERING

….. It is permissible to take a wage for slaughtering Qurbaani animals but the amount has to be fixed beforehand. For example, the price for slaughtering is fixed at so much which will be received after slaughtering.[172]

…..

INSTRUMENTS OF SLAUGHTER

….. It is permissible to slaughter with all such things which are sharp enough to sever the veins allowing the blood to flow out. Nonetheless, it is Haraam to do so with the nails or teeth which are fixed to their locations. If the animal is slaughtered with nails or teeth which are not connected to a body, the meat will be Halaal but

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[171] Shaami vol.6 p.303, Hindiyyah vol.5 p.285, Bada’i vol.5 p.43, Al Bahr vol.8 p.170, 171

[172] Shaami vol.6 p.328, Al Bahr vol.8 p.178, Bada’i vol.5 p.81, Fath ul Qadeer vol.8 p.437, Hindiyyah vol.5 p.301

Makrooh. (Certain wild tribes slaughter their animals in this way with nails and teeth. This is why Nabi has forbidden slaughtering in this manner. Also, teeth are also a form of bones and to slaughter with bones is not permissible because the animal will become impure if slaughtered in this way.)[173]

….. If a sharp instrument made of gold, silver or copper is used to slaughter an animal, it will be Halaal. Similarly, a sharpened stone or potsherd (shard of pottery), even a sharpened stick used to slaughter an animal will render it Halaal.[174]

….. An animal also becomes Halaal when slaughtered with sharpened bamboo or a post.[175]

MASNOON METHOD OF SLAUGHTERING

Hadhrat Anas narrates that Rasulullaah slaughtered two horned rams that were black and white in colour. He

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[173] Shaami vol.6 p.295, 296, Bada'i vol.5 p.42, Al Bahr vol.8 p.170, Fath ul Qadeer vol.8 p.415

[174] Bada'i vol.5 p.42, Al Bahr vol.8 p.170, Shaami vol.6 p.295

[175] Ibid

slaughtered them himself. He recited بسم الله أكبر at the time of slaughtering. I saw that he placed his foot in the animals side and he was saying بسم الله أكبر . [Bukhaari and Muslim]

THE PLACE OF SLAUGHTERING

The place of slaughtering is between the throat and the jaw. The entire neck should not be severed. In fact, the Haraam marrow should not be cut. The wind pipe and the veins around it (also called audaaj) should be cut. In this way the impure blood will be taken out and the animal will be given as little difficulty as possible. The blood is not taken out and the animal is given great difficulty without any necessity if any other methods is adopted.[176]

IT IS NOT NECESSARY TO MENTION THE NAMES OF SHAREHOLDERS WHEN SLAUGHTERING

It is not necessary to take the name of every shareholder at the time of making Qurbaani. The person slaughtering should think of all the shareholders in his heart at the time of slaughter. There is also no

[176] Shaami vol.6 p.294, 296, Hindiyyah vol.5 p.285, 287, 288, Al Bahr vol.8 p.169, Bada'i vol.5 p.41, Fath ul Qadeer vol.8 p.412

problem if the objective of taking their names is to inform the shareholders.[177]

THE OBJECTIVE OF SLAUGHTERING

The objective of slaughtering the Qurbaani animal is solely for the pleasure of Allaah and out of honor for Him. A person should slaughter with the thought of it being worship, he should not slaughter with the intention to eat or to show people.[178]

WHERE TO PLACE THE KNIFE WHEN SLAUGHTERING

…..The place of slaughter is below the protruding bone which is below the chin and above the spot where the chest begins. **It is mentioned in Jami' us Sagheer that the entire throat is a place of slaughter.** It does not matter whether it is higher up, in the middle or lower down.[179]

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[177] Bada'i vol.5 p.71

[178] Bada'i vol.5 p.71, Hindiyyah vol.5 p.304

[179] Shaami vol.6 p.294, Hindiyyah vol.5 p.285, Al Bahr vol.8 p.170, Bada'i vol.5 p.41

□.....If the animal was slaughtered at a spot above the chin, then it will not be Haraam.[180]

THE SLAUGHTERER MUST BE A MUSLIM

If the slaughterer is a Muslim, then it does not matter whether the one who catches the animal is a polytheist or a Muslim. It is not compulsory upon the one catching the animal to say بسم الله الله اكبر . There is no benefit in saying if the one catching is a polytheist.

If a polytheist participates in the slaughtering, then the animal will not be Halaal and it will not be permissible to consume the meat and the Qurbaani will not be valid. For this reason, one should not let a non believer or polytheist participate in the Qurbaani. The polytheist should not be given a chance to push the hand of the Muslim while slaughtering, nor should he give his hand in support while stroking the knife. If there is a need for help, then he should only hold the animal.[181]

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[180] Ibid

[181] Shaami vol.6 p.296, Hindiyyah vol.5 p.285, Al Bahr vol.8 p.168, Bada'i vol.5 p.45, Fath ul Qadeer vol.8 p.407

[Type text]

THE DIRECTION THE SLAUGHTERER FACES

It is Sunnah for the slaughterer to face the Qiblah. It is Makruh to leave it out for no reason.[182]

IMAMAT BY THE ONE SLAUGHTERING

It is permissible for the one slaughtering a Qurbaani animal or non-Qurbaani animal to make Imamat. There is no dislike created by taking a wage for slaughtering.[183]

A FAULT DEVELOPS WHILE WAITING TO SLAUGHTER

If a fault was made while preparing for slaughter, the leg broke or the eye became damaged, then there is no problem. The Qurbaani of such an animal is valid.[184]

SHARING AFTER SLAUGHTERING

After slaughtering the animal, it is not valid to change or alter the shares. If someone did so, then the Shari'ah does not consider it at all.

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[182] Bada'i vol.5 p.60, Mabsoot vol.12 p.3, Hindiyyah vol.5 p.288, Al Bahr vol.8 p.170

[183] Hindiyyah vol.4 p.454

[184] Hindiyyah vol.5 p.299

The Qurbaani will be valid for all those for whom it was intended before slaughtering. The Qurbaani of the one who was made a partner after slaughtering is not valid.[185]

CONDITIONS FOR SLAUGHTERING

□…..The slaughterer should be a Muslim or a person from the people of the book.[186]

□…..The name of Allaah □ should be taken at the time of slaughtering.[187]

□…..The food pipe, wind pipe and veins should be cut in accordance to the Shari'ah.[188]

Note: These are the conditions for Ikhtiyaari slaughter. The conditions for Idtiraari slaughter are different.

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[185] Aziz ul Fataawa vol.1 p.719

[186] Bada'i vol.5 p.45

[187] Shaami vol.6 p.302

[188] Hindiyyah vol.5 p.287, Al Bahr vol.8 p.170, Shaami vol.6 p.295, Bada'i vol.5 p.41, Fath ul Qadeer vol.8 p.412

IT IS NECESSARY TO SAY “بسم الله الله أكبر” AT THE TIME OF SLAUGHTERING

It is necessary for the slaughterer to say بسم الله الله اكبر . It is not necessary to recite the Du’aa of intention. A person should make the intention in his heart that ‘I am making Qurbaani’. It is sufficient.[189]

HOW SHOULD THE ANIMAL BE MADE TO LAY DOWN WHEN SLAUGHTERING

…..It is Mustahab to lay the animal down on its right side, facing the Qibla. A person should place his foot upon it and slaughter.[190]

…..The meaning of placing the animal down facing the Qibla is that just as the deceased is layed down in the grave such that the head is on the right and the head is on the left. In a similar manner, the animal should be placed down on its right side facing the Qibla. If there is some excuse or some difficulty in doing it this way, then any way will suffice.

[189] Bada’i vol.5 p.71

[190] Abu Dawud vol.2 p.30, Bada’i vol.5 p.80

IF AT THE TIME OF SLAUGHTERING THE INTENTION SLIPPED THE MIND

A person made the intention of Qurbaani when he purchased the animal. At the time of slaughtering, he did not think of the intention, the Qurbaani will be done. There is no need for another Qurbaani.[191]

CAUSING PAIN WHILE SLAGHTERING

It is not permissible to give the animal unnecessary difficulty. There is severe warning regarding it. Consequently, we have been advised to sharpen the knife and to slaughter quickly. Once the four pipes have been cut, it is also prohibited to carry on stroking the knife. This is so that the animal is not given difficulty without any necessity.[192]

SLAUGHTERING AT NIGHT

It is permissible to slaughter the Qurbaani animal during the nights from the 10th of Dhul Hijjah to the 12th of Dhul Hijjah just as it is permissible to slaughter during the day. In today's time, there is probably electricity

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[191] Hindiyyah vol.5 p.294

[192] Shaami vol.6 p.296, Abu Dawud vol.2 p.33

found everywhere. There is so much light that no doubt can remain with regards to any vein being cut.[193]

SLAUGHTERING AN ANIMAL WITH A TUMOR

It is permissible to slaughter an animal that has a tumor.[194]

RAA

ROPE

It is Mustahab to give the rope of the animal in charity. If a person sold it, then it is compulsory to give the value in charity. If a person wants to use it, then he can and he is also permitted to give it as a gift if he wants to.[195]

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[193] Al Bahr vol.8 p.176, Hindiyyah vol.5 p.295, Bada'i vol.5 p.65, Shaami vol.6 p.312

[194] Hindiyyah vol.5 p.299, Shaami vol.6 p.323, Fataawa Rahimiyyah vol.10 p.49

[195] Hindiyyah vol.5 p.300, 301, Bada'i vol.5 p.81, Shaami vol.6 p.328, 329, Al Bahr vol.8 p.178

SENDING MONEY AND MAKING QURBAANI IN ANOTHER COUNTRY

When Qurbaani is compulsory upon a person, it will be valid for him if he sends the money to another country and tells somebody to perform the Qurbaani. It will be valid for him to do it in such a way. There is no dislike regarding this in the light of Shari'ah. The only necessary aspect is that the days of Qurbaani should be the same in both countries, i.e. the day on which the Qurbaani is done, that day should be the day of Qurbaani in both countries, otherwise the Qurbaani will not be valid.

For example, the days of Qurbaani begin a day earlier in Saudi Arabia as compared to Pakistan, and in Pakistan it begins a day later. So, the Qurbaani of the Saudi Arabian resident will be valid in Pakistan on the first and second day, not on the third. This is because the third day in Pakistan is not a day of Qurbaani in Saudi Arabia. Similarly, if a Pakistani resident's Qurbaani is being done in Saudi Arabia, then it will not be valid on the first day because this day is not a day of Qurbaani for the

people of Pakistan. For this reason, it should be done on the second and third day.[196]

FOUR VEINS TO BE CUT

The four veins should be cut at the times of slaughtering that are on the right and left of the windpipe. **If three are cut, then too it is valid and it will be Halaal to consume it. If only two were cut, then the animal is carrion and it will be Haraam to consume it.** If a person forgets, then it will be valid to eat it.[197]

ZAA

SLAUGHTERING BY THE HUSBAND OF A WOMAN WHO COMMITS ADULTERY

Adultery is impermissible and forbidden. It is necessary to repent and seek forgiveness if one has done it, otherwise there will be severe punishment for it in the Aakhirah. A person will not be able to bear it. However, it is Halaal to consume the animal that has been

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[196] Bada'i vol.5 p.74, Hindiyyah vol.5 p.296, Al Bahr vol.8 p.175, Shaami vol.6 p.313, 316

[197] Hindiyyah vol.5 p.287, Fath ul Qadeer vol.8 p.412, Al Bahr vol.8 p.170, Shaami vol.6 p.294, Bada'i vol.5 p.41

[Type text]

slaughtered at the hands of an adulteress's husband. It does not matter whether he stops her from this evil action or not. In both cases, the animal slaughtered by him will be Halaal.[198] However, he will be sinful if he does not stop his wife from this evil action. **If he does not divorce her by her not stopping it, then he will be a Dayyooth.**

TONGUE

If an animal's tongue has been cut, due to which it cannot graze, then Qurbaani of it will not be valid.[199]

WOUND

If an animal was wounded by hitting it, then it will be valid to make Qurbaani of it, but it is better not to make Qurbaani of such an animal.[200]

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[198] Shaami vol.6 p.296, Hindiyyah vol.5 p.285, Al Bahr vol.8 p.168, Bada'i vol.5 p.45, Fath ul Qadeer vol.8 p.407

[199] Hindiyyah vol.5 p.298, Shaami vol.6 p.325

[200] Aalamgiri vol.5 p.291

A LIVE CALF COMES OUT

□…..After slaughtering a Qurbaani animal, **it is found that a live calf came out, then it should be slaughtered as well,** and if it comes out dead, then it is not permissible to use in any way.

If it (the calf) is not slaughtered during the days of Qurbaani, then it should be given in charity once the days of Qurbaani pass. If this calf is slaughtered the next year as Qurbaani, then the compulsory Qurbaani will not be fulfilled and it will be necessary to give the calf of the slaughtered animal in charity. If the value of the animal has come down because of slaughtering, then it will be necessary to give that amount in charity as well. It will be necessary to slaughter another animal for Qurbaani in its place.[201]

□…..**If the Qurbaani animal has given birth just before slaughtering, then the ruling for the calf will be the same as mentioned above.[202]**

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[201] Shaami vol.6 p.322, Hindiyyah vol.5 p.301, Bada'i vol.5 p.78

[202] Ibid

[Type text]

DO NOT CUT OFF ANY PART OF A LIVING ANIMAL

It is not permissible and forbidden to cut off any limb of a living animal. For this reason, after slaughtering, no limb should be severed until the animal has become cool, otherwise it will not be permissible to consume that particular limb.[203]

SLAUGHTERING AFTER ZAWAAL

If the Eid Salaat was performed on the 10th of Dhul Hijjah, then the animal of Qurbaani should be slaughtered after Salaat.[204] If for some reason, the Salaat could not be performed on the 10th of Dhul Hijjah, then the animal should be slaughtered after Zawaal.[205]

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[203] Hindiyyah vol.5 p.299, 287, 300, Shaami vol.6 p.323, 296, Bada'i vol.5 p.80, Al Bahr vol.8 p.170

[204] Hindiyyah vol.5 p.295, Bada'i vol.5 p.73, Al Bahr vol.8 p.175, Shaami vol.6 p.318

[205] Hindiyyah vol.5 p.295, Bada'i vol.5 p.73, Al Bahr vol.8 p.176, Shaami vol.6 p.318

SEEN

SEPARATING THE HEAD

It is Makruh to separate the head of the animal before it can become cool after slaughtering, but the meat of the slaughtered animal will be Halaal.[206]

BEING PARTNERS WITH ONE WHO TAKES INTEREST

A person should not willfully be a partner with someone who takes interest because in the case where Haraam wealth was used in partnership, none of the shareholder's Qurbaani will be done.

If such a person takes Halaal wealth from someone and uses that in the collective Qurbaani, then it will be permissible to add it to the collective amount.[207]

BEING SUSTAINED WITH THE MILK OF A PIG

If the young of an animal was brought up drinking the milk of a pig, that young animal will be Halaal. The

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[206] Hindiyyah vol.5 p.287, 288, Shaami vol.6 p.296, Al Bahr vol.8 p.170, Fath ul Qadeer vol.8 p.415

[207] Shaami vol.5 p.99, vol.6 p.385 p.326, Hindiyyah vol.5 p.349, Bada'i vol.5 p.72

Qurbaani of this young animal is valid. However, it should be given other fodder a few days before Qurbaani.[208]

COOKING VERMICELLI

It is permissible to cook vermicelli on the day of Eid. However, it should not be taken to be necessary.

HORNS

…..**The Qurbaani of such an animal that was born without horns or the horns broke is valid.[209]** However, if the horns broke from the root, then Qurbaani of such an animal will not be valid.[210]

…..If the top part of the horn has come off, then Qurbaani of this animal is valid.[211]

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[208] Hindiyyah vol.5 p.290, Shaami vol.6 p.306

[209] Hindiyyah vol.5 p.297, Shaami vol.6 p.323

[210] Hindiyyah vol.5 p.297, Shaami vol.6 p.323, Al Bahr vol.8 p.176, Bada'i vol.5 p.76, Fath ul Qadeer vol.8 p.434

[211] Shaami vol.6 p.323, Hindiyyah vol.5 p.297, Al Bahr vol.8 p.176, Bada'i vol.5 p.76, Fath ul Qadeer vol.8 p.434.

…..If the horn has come off and the effect of the wound has reached the brain, then it is not valid to slaughter such an animal for Qurbaani.[212]

SHEEN

QURBAANI FOR THE SAKE OF FEEDING AT A WEDDING

If a person made Qurbaani with the intention of serving at a wedding, and not with the intention of reward and to fulfill a compulsory duty, then in this case, the Qurbaani will not be valid. It is necessary to do another share of Qurbaani.[213]

ONE OF THE PARTNERS DOES NOT GIVE PERMISSION TO SLAUGHTER

If one of the partners does not give permission to slaughter the animal and he did not appoint a representative and the others slaughtered on their own and some partners did not even know, then none of the partners' Qurbaani will be done.[214]

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[212] Hindiyyah vol.5 p.297, Shaami vol.6 p.323

[213] Bada'i vol.5 p.71

[214] Hindiyyah vol.5 p.305, Al Bahr vol.8 p.178

SEPARATING FROM A PARTNERSHIP

.....If one of the partners upon whom Qurbaani was compulsory separates from the partnership before slaughtering and someone else takes his place, then the Qurbaani will be in order.[215]

.....If there was such a partner upon whom Qurbaani was not compulsory, and he separates from the partnership before slaughter, then Qurbaani remains compulsory upon him.[216] The Qurbaani of the other partners will also not be valid.[217]

THE SUPERIOR FORM OF PARTNERSHIP

.....The most superior form of partnership is that the partners form the partnership before purchasing the animal.[218]

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[215] Aalamgiri vol.5 p.304, Kifaayatul Mufti vol.8 p.192, Bada'i vol.6 p.72

[216] Shaami vol.6 p.321

[217] Shaami vol.6 p.326

[218] Hindiyyah vol.5 p.304, Shaami vol.6 p.317

[Type text]

.....The person purchasing the animal should make the intention when purchasing the animal that one or two shares are for my own Qurbaani and the other shares are in partnership. This is also permissible.[219] However, if he did not make the others as partners at the time of purchasing the animal, and afterwards he made the others as partners, then there is difference of opinion whether it is permissible or not. The preferred view is that it is permissible.[220]

AN ANIMAL IN PARTNERSHIP

An animal given in partnership is not valid to be used in Qurbaani because it falls in the ownership of others.[221]

REFUSAL AFTER HAVING GIVEN PERMISSION FOR PARTNERSHIP

A person said that include my share in the Qurbaani animal and he did not pay for it. He joined his share with the others. Once the Qurbaani was done, he rejected and said that I did not take a share. This rejection is not

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[219] Hindiyyah vol.5 p.304, Bada'i vol.5 p.72

[220] Hindiyyah vol.5 p.304, Bada'i vol.5 p.72, Shaami vol.6 p.317

[221] Shaami vol.6 p.331, Bada'i vol.5 p.77, Hindiyyah vol.5 p.303

considered and it is necessary that he gives the value of that share.[222]

DISCHARGING PAYMENT IN A PARTNERSHIP

If a number of individuals are joining in a big animal, then every partner should give the money according to the value of his share. There is no problem if one of the partners gives extra on behalf of another of the partners.[223]

MAKING PARTNERS

…..If a person made or did not make the intention of partnership at the time of purchasing an animal, then in both cases, if the purchaser was wealthy, then he can make others as partners.[224]

…..If the purchaser is not wealthy, but poor, then if he made the intention of partnership with another person at the time of purchasing the animal, then he can join the other person. If he did not make the intention to join

[222] Fataawa Mahmudiyyah vol.4 p.297

[223] Shaami vol.6 p.315, Al Bahr vol.8 p.178

[224] Hindiyyah vol.5 p.304, Shaami vol.6 p.317

another person at the time of purchasing, then he cannot make another person a partner after he has bought the animal.[225]

HUSBAND DOES NOT HAVE TO MAKE QURBAANI FOR THE WIFE

It is not necessary upon the husband to make Qurbaani on behalf of his wife. However, he can perform it with the permission of his wife.[226]

SLAUGHTERING BY A SHIA

Shias are not Muslims, nor are they people of the book. For this reason, the meat of the animals slaughtered by them is not Halaal.[227] The Ithna Ash'ari Shias believe in the alteration of the Qur'aan, the sinless Imams, taqiyya, mut'a, and they believe that all the Sahabah besides three became non Muslims and renegades. By adopting these beliefs, they are out of the

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[225] Hindiyyah vol.5 p.304, Shaami vol.6 p.317

[226] Hindiyyah vol.5 p.302, Hindiyyah vol.5 p.293, Shaami vol.6 p.315

[227] Hindiyyah vol.5 p.285, Shaami vol.6 p.296, Al Bahr vol.8 p.168, Bada'i vol.5 p.45, Fath ul Qadeer vol.8 p.407

fold of Islaam. For details, study the volume of ‘Bayyinaat’ dedicated to Shism. Detailed discussions and Fataawa are gathered there.[228]

The ruling with regards to Agakhaanis and Bauharis is the same.

PARTNERSHIP WITH A SHIA

Shias are non Muslims, i.e. kaafir. If a share of an animal is that of a Shia, then the Qurbaani will not be done on behalf of anyone of the shareholders.[229]

SAAD

A SAHIB-E-NISAAB PASSES AWAY DURING THE DAYS OF QURBAANI

▯…..Qurbaani was compulsory upon a person. However, he did not make the Qurbaani and before the days of Qurbaani could pass, he passed away. The Qurbaani falls off such a person. It would have not been compulsory for

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[228] Monthly Bayyinaat, vol.50 Shia part – 1408, 1988

[229] Ahsan ul Fataawa vol.7 p.509, Hindiyyah vol.5 p.293, Al Bahr vol.8 p.174, Shaami vol.6 p.316

him to bequest nor is it necessary upon the heirs to make Qurbaani on his behalf.[230]

.....If a sahib-e-nisaab passes away during the days of Qurbaani and he did not perform the Qurbaani of that year, then the compulsion of Qurbaani falls off from him.[231]

A SAHIB-E-NISAAB TAKES AN OATH TO MAKE QURBAANI DURING THE DAYS OF QURBAANI

If a sahib-e-nisaab makes a vow to perform Qurbaani, then he will have to make two Qurbaanis during the days of Qurbaani. One Qurbaani became compulsory due to the vow and the second became compulsory due to him being a sahib-e-nisaab.[232]

QURBAANI IS WAAJIB ON A SAHIB-E-NISAAB

Qurbaani is compulsory upon a sahib-e-nisaab. The compulsion of Qurbaani is narrated in Sunan Ibn Majah,

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[230] Hindiyyah vol.5 p.293, Al Bahr vol.8 p.174, Shaami vol.6 p.316

[231] Ibid

[232] Shaami vol.6 p.320, 332, Al Bahr vol.8 p.175, Hindiyyah vol.5 p.293

عن أبي هريرة رضي الله عنه أن رسول الله صلى الله عليه وسلم قال : من كان له سعة ولم يضح فلا يقربن مصلانا . ابن ماجة ١/٢٢٦

He who has the capacity and who does not perform Qurbaani, he should not come close to the Musallah.

It is quite apparent that a sahib-e-nisaab has the capacity. So, if two people in a house possess nisaab, then Qurbaani is compulsory upon both of them. If there are four, then it is compulsory upon four, and if there is one, then it will be compulsory upon this one person.[233]

A SAHIB-E-NISAAB BECOMES POOR

Qurbaani was compulsory upon a person. However, he did not perform it as yet and before the time of Qurbaani could be finished, he became poor. Then Qurbaani falls off him.[234]

MAKING QURBAANI FOR GOOD HEALTH

It is permissible for a sick person to slaughter an animal for the pleasure of Allaah with the intention of becoming

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[233] Al Bahr vol.8 p.173, Bada'i vol.5 p.64

[234] Shaami vol.6 p.315, Aalamgiri vol.5 p.292, Al Bahr vol.8 p.174

cured. **It is however better to give a live animal as charity.**[235]

IF SADAQAH-E-FITR IS WAAJIB THEN QURBAANI TOO IS WAAJIB

Qurbaani is compulsory upon the one whom upon Sadaqatul fitr is compulsory. If he does not have enough wealth that makes Sadaqatul fitr compulsory, then Qurbaani is not compulsory upon him. If he does Qurbaani, then he will receive the reward of it.[236]

QURBAANI WILL NOT BE FULFILLED BY GIVING SADAQAH

It is necessary for the man or woman upon whom Qurbaani is compulsory to make the Qubaani by slaughtering the animal during the three days of Qurbaani. The responsibility of Qurbaani will not be fulfilled by giving the value in charity or by doing some other good deed. A person will get the reward of giving

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[235] Shaami vol.6 p.320, Kifaayatul Mufti vol.8 p.252

[236] Al Bahr vol.8 p.174, Shaami vol.6 p.312, Hindiyyah vol.5 p.292

charity but he will get the sin of not performing the Qurbaani.[237]

DHAAD

ACTUAL NECESSITY

The meaning of actual or basic necessity is that need that relates to a person's life or honour, i.e. if it is not met, then a person's life or honour is in danger. For example, food, drink, clothing, shelter etc. **As for those who are craftsmen, their tools also fall under actual necessity.** However, huge pots, massive beds, pavilions, radios, tape recorders, television sets and VCR sets are not included as actual or basic necessities. **If the value of these items reach the nisaab amount, then Qurbaani will be compulsory upon the owner of them.**[238]

It should be clear that television sets and VCR sets are instruments of [239]sin; it is not permissible to keep or look at them.

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[237] Bada'i vol.5 p.66, Shaami vol.6 p.320

[238] Shaami vol.2 p.262, Al Bahr vol.2 p.206, Hindiyyah vol.1 p.173

[239] Shaami vol.6 p.348, 349

TAA

FOR A STUDENT TO MAKE NAFL QURBAANI

It is better for a student of Deen to buy books of Deen rather than performing Nafl Qurbaani.[240]

‘AYN

ARAFAH

The day of ‘Arafah is one, i.e. the 9th of Dhul Hijjah is called Yaum e ‘Arafah.[241]

PRIVATE PARTS

It is Makruh Tahreemi to consume the private parts of the slaughtered animal, and it is Haraam if it is of a non-slaughtered animal.[242]

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[240] Mishkaat p.32

[241] Bada’i vol.5 p.75

[242] Shaami vol.6 p.749

PARTNERSHIP WITH ONE MAKING AQIQAH

□.....A number of individuals can join with the intention of aqiqah in a big animal. This is on condition that all the partners intend either Qurbaani or aqiqah.[243]

□.....In a big animal, some partners can make the intention of Qurbaani and some can make the intention of aqiqah.[244]

□.....None of the partners' Qurbaani is nullified if a person among the partners has a share of aqiqah in a big animal.[245]

AGE AND TEETH

Generally, it is a custom to look at the teeth of the animal for Qurbaani at the time of buying the animal. If it is crooked, then they are not taken, and if they are not crooked, then they are taken. **In Shari'ah,**

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[243] Hindiyyah vol.5 p.304, Shaami vol.6 p.326, Al Bahr vol.8 p.178, Bada'i vol.5 p.72

[244] Hindiyyah vol.5 p.304,

[245] Ibid, Shaami vol.6 p.326, Al Bahr vol.8 p.178, Bada'i vol.5 p.72

[Type text]

consideration is given to age and not to the teeth. This has been discussed under 'the ages of animals'.[246]

However, the Grand Mufti of India, Mufti Kifaayatullaah is of the view that the ages of animals are stipulated for Qurbaani. Due to the fact that generally the true age of animals cannot be known, therefore we learn their age from their teeth and this command has been given in order to practice upon precaution. The sign of teeth is that they do not come out in young animals. It is possible to come out in elder animals. There is no problem in this. So, if a goat was born on the 1st of Dhul Hijjah and it grew up there, then the following Dhul Hijjah, on the 10th day, it will be one year and nine days old. Now, if the permanent teeth have not come out properly, then too one can slaughter it because it is definite that its age is one year and nine days. However, we cannot give the ruling that every goat can be slaughtered for Qurbaani whether one has conviction that it has reached one year or not.

According to me, this is valid that the meaning of 'Musanna' is an animal that has teeth and it can also refer to an animal that is a year old. However, it is not

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[246] Shaami vol.6 p.326, Al Bahr vol.8 p.178, Bada'i vol.5 p.72

possible to learn the age of an animal whose date of birth is not known or one is unsure of it except by two teeth being present. For this reason, it is appropriate to give this ruling. [Kifaayatul Mufti vol.8 p.217]

QURBAANI IS WAAJIB ON WOMEN

If a woman is understanding, mature, a resident and has nisaab, or she has possessions that are over and above her basic necessities that equal nisaab, then Qurbaani is compulsory upon her.[247]

SLAUGHTERING BY WOMEN

There is no doubt that the animal slaughtered by a Muslim woman is Halaal. It is permissible to consume its meat.[248] However, because women know very little of this work and there is possibility that she will not be able to stroke the knife properly because of her heart being weak, that is why it is not appropriate to give the work of slaughtering over to women without real necessity.[249]

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[247] Hindiyyah vol.5 p.292, Shaami vol.6 p.312, Al Bahr vol.8 p.174

[248] Hindiyyah vol.5 p.286, Al Bahr vol.8 p.168, Fath ul Qadeer vol.8 p.207

[249] Hindiyyah vol.5 p.288

FAULTY ANIMALS

It is not permissible to slaughter faulty animals.[250] However, if it has become faulty due to falling, jumping etc. at the time of slaughtering, then there is no problem.[251](It would be slaughtered.)

BECAME FAULTY

.....If a **wealthy person** that possesses nisaab bought an animal with the intention of Qurbaani, then it became faulty, **then it is necessary upon him to make Qurbaani of another animal that is not faulty.**[252]

.....If a **poor person** bought an animal with the intention of Qurbaani, then the animal became faulty, then the faulty animal will be sufficient for the poor

[250] Hindiyyah vol.5 p.297, Bada'i vol.5 p.75, Shaami vol.6 p.323

[251] Hindiyyah vol.5 p.299, Al Bahr vol.8 p.177, Bada'i vol.5 p.76, Fath ul Qadeer vol.8 p.435

[252] Shaami vol.6 p.207, Hindiyyah vol.5 p.299, Al Bahr vol.8 p.177, Bada'i vol.5 p.76

person. **It is not necessary for the poor person to slaughter another animal in its place.**[253]

…..If a person bought an animal that did not have any defect for Qurbaani, but it became defective, with such a fault that prevents the Qurbaani from being valid, so, if the Qurbaani was that of a vow or oath, then it is necessary that he slaughters an animal that does not have any fault in its place. It does not matter whether he is rich or poor. If the Qurbaani is not of a vow or oath, then it is sufficient for the poor person to slaughter that animal and it is necessary upon the rich person to slaughter an animal that does not have any fault in its place.[254]

…..If a fault was created in the animal while preparing for slaughter, e.g. the legs broke or the eyes were hurt, then there is no problem. The Qurbaani of the animal is valid.[255]

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[253] Ibid

[254] Aalamgiri vol.5 p.299, Bada'i vol.5 p.76, Al Bahr vol.8 p.177

[255] Hindiyyah vol.5 p.299, Fath ul Qadeer vol.8 p.435, Bada'i vol.5 p.76, Al Bahr vol.8 p.177

QURBAANI BEFORE THE EID NAMAAZ

It is not valid to make Qurbaani in the cities where Eid Salaat is performed before the Eid Salaat. If someone did so, then it is necessary to slaughter once again. i.e. another animal. However, it is permissible to slaughter before the Eid salaat in the villages where Eid Salaat is not performed.[256]

EID NAMAAZ COMES FIRST

Rasulullaah performed the Eid Salaat first, and then commanded that Qurbaani be done. He said that it does not matter whether the person is in Makkah, or Madinah or in any other place of the world.[257]

THE YEAR IS COMPLETED ON EID'S DAY

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[256] Al Bahr vol.8 p.175, Bada'i vol.5 p.73, Fath ul Qadeer vol.8 p.430, Hindiyyah vol.5 p.295, Shaami vol.6 p.318

[257] Mishkaat vol.1 p.129

[Type text]

The goat that was born on the day of Eid last year will be permissible to be slaughtered on the second day of Eid this year because the year has been completed.[258]

SLAUGHTERING BY A CHRISTIAN

See ‘slaughtering by a Jew’

GHAYN

A poor person became wealthy after making Qurbaani

A poor person upon whom Qurbaani was not compulsory performed Qurbaani out of his own will. After this, during the days of Qurbaani, he became wealthy, possessing nisaab. Now, it is compulsory upon him to make a second Qurbaani.[259]

A poor person became wealthy during the days of Qurbaani

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[258] Bada’i vol.5 p.70, Hindiyyah vol.5 p.297, Al Bahr vol.8 p.177, Shaami vol.6 p.322

[259] Hindiyyah vol.5 p.293, Al Bahr vol.8 p.174, Bada’i vol.5 p.65

If a poor person got wealth before sunset of the 12th of Dhul Hijjah and he became a sahib-e-nisaab, then Qurbaani will become compulsory upon him.[260]

A poor person bought an animal

If a poor person bought an animal with the intention of Qurbaani, then the Qurbaani of that animal becomes compulsory.[261]

A poor person took an animal for Qurbaani

#…..If a person is poor, then Qurbaani is not compulsory upon him. If he buys an animal with the intention of Qurbaani, then the Qurbaani of that animal becomes compulsory upon him.[262] However, if this animal died or got lost, then this Qurbaani falls off him. A second Qurbaani does not become compulsory upon him.[263]

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260 Hindiyyah vol.5 p.292, Bada'i vol.5 p.64

261 Shaami vol.6 p.321

262 Ibid

263 Khulaasatul Fataawa vol.4 p.318, Al Bahr vol.8 p.175

If the poor person bought a second animal after the first one got lost, then he found the first one. In this case, it will be compulsory upon him to slaughter both animals **because whatever animals a poor person buys with the intention of Qurbaani, all of them become compulsory upon him to slaughter.**[264]

Qurbaani of a stolen animal

If a person stole the animal of another person and slaughtered it, then the Qurbaani has been done, but it is necessary for the thief to give the value of the animal to the owner.[265]

An animal that eats filth

It is not permissible to make Qurbaani of an animal that eats dirt and filth until and unless it is tied (kept in a confined area). If the animal is tied for a few days and is fed fodder, and it is prevented from roaming freely so that it does not put dirt and filth in its mouth, then it will be valid to slaughter it for Qurbaani. **If it is a camel, then it should be tied for forty days. If it is a cow or**

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264 Hindiyyah vol.5 p.294, Al Bahr vol.8 p.175, Bada'i vol.5 p.66

265 Hindiyyah vol.5 p.303, Al Bahr vol.8 p.179, Bada'i vol.5 p.76

bull, then for twenty days and a goat should be kept confined and fed fodder for ten days.[266]

Giving the meat of a Qurbaani animal to a non Muslim

See ‘giving meat to a non Muslim

The slaughtered animal of a non Muslim

In order for the meat of a slaughtered animal to be Halaal, it is a condition that the slaughterer be a Muslim or a person from the people of the book.[267] (those who slaughter using the old system).The slaughtered animal of a non Muslim or of a person who is not from the people of the book is not Halaal.[268]

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266 Hindiyyah vol.5 p.298, Al Bahr vol.8 p.176, Shaami vol.6 p.325, Bada’i vol.5 p.45

267 Al Bahr vol.8 p.168, Hindiyyah vol.5 p.285, Bada’i vol.5 p.45, Shaami vol.6 p.296

268 Shaami vol.6 p.298, Al Bahr vol.8 p.168, Hindiyyah vol.5 p.285, Bada’i vol.5 p.45

FAA

It is Makruh (disliked) to take benefit

It is Makruh to take benefit from the Qurbaani animal. According to the authentic view, this ruling applies to the wealthy and the poor person.[269]

Trouble

If there was trouble in a city and it became difficult to perform Salaat and the people made Qurbaani after true dawn, then it will be valid.[270]

A poor became wealthy at the last minute

If a poor person willfully made Qurbaani at the first time and then he became wealthy at the last time, then a second Qurbaani becomes compulsory upon him.[271]

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[269] Hindiyyah vol.5 p.300, Shaami vol.6 p.329, Al Bahr vol.8 p.178, Bada'i vol.5 p.78

[270] Hindiyyah vol.5 p.295, Al Bahr vol.8 p.176, Bada'i vol.5 p.74

A poor person bought an animal with the intention of Qurbaani

If a poor person bought an animal with the intention of Qurbaani, then Qurbaani becomes necessary and compulsory upon him.[272]

QAAF

**Qurbaani is remembrance of Ibraaheem **

The yearly Qurbaani of an animal that is compulsory on those who are able is remembrance of Hadhrat Ibraaheem . It is for this reason that the responsibility of Qurbaani is not fulfilled by giving charity as opposed

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271 Bada'i vol.5 p.65, Aalamgiri vol.5 p.293, Al Bahr vol.8 p.174, Shaami vol.6 p.319

272 Hindiyyah vol.5 p.294, Shaami vol.6 p.320, Al Bahr vol.8 p.175

to slaughtering an animal and one will not be practicing upon the remembrance of Hadhrat Ibraaheem ￼.[273]

The difference between Qurbaani and Sadaqah

From the story of Hadhrat Ibraaheem – the friend of Allaah - ￼ we learn that the original purpose of Qurbaani is to present an offering of a life. **Consequently, the enthusiasm for giving one's life and for giving others preference will be created. This is the soul of Qurbaani.** This soul cannot be achieved by giving charity. **This is because the soul of Qurbaani is giving a life and the soul of Sadaqah is giving wealth.**

We also learn that Qurbaani is different from Sadaqah from the fact that there is no specific day for Sadaqah but there is a special day stipulated for Qurbaani. Its name has been kept 'Yaum un Nahr' and 'Eid ul Adha'.[274]

Qurbaani is an important form of worship

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273 Mishkaat p.129, Mirqaat ul Mafateeh vol.3 p.314, Bada'i vol.5 p.62, 66, Shaami vol.6 p.313

274 Khutbaat Hakeem ul Islaam vol.2 p.446

Qurbaani is an important form of worship and is from among the signs of Islaam. It was also understood to be worship during the days of ignorance, but they used to make Qurbaani in the name of idols. Similarly, until today, people of other faiths make Qurbaani as a religious custom. They make Qurbaani in the name of an idol or in the name of Isa .[275]

Qurbaani is for three days

The days of Qurbaani are from the 10th of Dhul Hijjah until just before sunset of the 12th. Qurbaani is not valid on the 13th.[276]

Making Qurbaani in another place

#…..If the residents of one country make Qurbaani in another country, then it is valid. There is no dislike for it according to the Shari'ah. It is however better that one rears the animal, serves it and builds a relationship of love with it. This is because it is a means of attaining great reward; in fact, it is a substitute for sacrificing

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275 Ahkaam wa Tarikh e Qurbaani p.34

276 Mu'atta Maalik vol.2 p.497, Shaami vol.6 p.315, Bada'i vol.5 p.65, 74, Hindiyyah vol.5 p.295, Al Bahr vol.8 p.173

ones' children.[277] It is Mustahab to slaughter the Qurbaani animal one's self. If a person cannot slaughter himself, then he should be present when the animal is being slaughtered.[278] It is Mustahab to eat from ones Qurbaani. If possible, then the first food one should eat on the day of Eid should be the meat of one's Qurbaani, and he should feed his neighbours, relatives and the poor. By getting the Qurbaani done somewhere else, then one is deprived of all these blessings. If there is some valid excuse or there is some underlying Shar'i reason for the person to do the Qurbaani in another place or in another country, then not only will he get reward, but there is hope that he will get even more reward. For example, in order to fulfill the rights of one's relatives in another country, a person arranges Qurbaani, or the people there are very poor and needy, they are in need of every morsel, just as is the case in Afghanistan and some countries of Africa, then there is no problem in sending money there in order to get the Qurbaani done.[279]

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[277] Hindiyyah vol.5 p.296, Al Bahr vol.8 p.175, 179, Bada'i vol.5 p.79

[278] Hindiyyah vol.5 p.300, Bada'i vol.5 p.79, Al Bahr vol.8 p.179

[279] Hindiyyah vol.5 p.300, Fath ul Qadeer vol.8 p.436, Al Bahr vol.8 p.178, Bada'i vol.5 p.81

To sell the Qurbaani animal

It is not appropriate to sell the animal for Qurbaani after it was bought. If a person sold the animal and bought another one that is cheaper, then it is necessary to give the difference in Sadaqah.[280]

The Qurbaani animal got lost

#…..If Qurbaani was compulsory on a person and he bought an animal for it. The animal got lost, then it is compulsory upon him to slaughter another animal in its place.[281]

#…..If after slaughtering the animal for Qurbaani, the person found the first animal, then it is not compulsory to slaughter the first one. However, it is better to slaughter it as well.[282]

#…..If this person is poor and Qurbaani is not compulsory upon him and he bought an animal with the

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280 Hindiyyah vol.5 p.302, Al Bahr vol.8 p.175

281 Shaami vol.6 p.325, Al Bahr vol.8 p.175

282 Al Bahr vol.8 p.175, Hindiyyah vol.5 p.294, Bada'i vol.5 p.66

intention of Qurbaani and that animal got lost, he then took another animal and made Qurbaani. He found the lost animal during the days of Qurbaani as well. So, in this case, it becomes necessary to slaughter the lost animal as well because whenever a poor person buys an animal with the intention of Qurbaani, it falls in the category of a vow and it is compulsory to fulfill a vow.[283]

Does the Qurbaani animal become specified or not?

It is valid to use an animal for Qurbaani if the person specified it from before or he bought it during the days of Qurbaani. However, if the person who specified the animal or the one who bought the animal is not a sahib-e-nisaab, then it becomes compulsory upon him to slaughter that very same animal. If he is a sahib-e-nisaab and he bought an animal before the days of Qurbaani and he specified the animal as a vow, then it becomes compulsory upon him to make Qurbaani of that very same animal. By possessing nisaab, a second Qurbaani becomes compulsory. If he did not specify the animal as a vow, then he is responsible to slaughter only one

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[283] Hindiyyah vol.5 p.294, Bada'i vol.5 p.66, Al Bahr vol.8 p.175

animal and the responsibility of Qurbaani falls off him by slaughtering that animal.[284]

The law of Qurbaani was given in a dream

Allaah gave the command of Qurbaani to Hadhrat Ibraaheem in a dream. The secret behind it is that the real objective was not to slaughter the son, but the objective was the father testing the son. For this reason, the command of slaughtering was not given in clear, open terms, but it was shown in a dream that he is slaughtering. This is the reason why when he completed the action that he saw in the dream, an unseen voice announced his success in the test.[285]

The law of Qurbaani is general

Among the actions of Hadhrat Ibraaheem , there are certain actions that are specific to a certain place and they have been made compulsory upon those performing

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[284] Shaami vol.6 p.320, 332, Bada'i vol.5 p.63

[285] Ahkaam wa Tarikh e Qurbaani p.18

Hajj, those who reach those places and perform it. For example, pelting the three Shayaateen in Mina and running between Safa and Marwa, running the seven circuits of Sa’ee. Those actions that are not related to these special places can be performed at any place. For example, Qurbaani of an animal. This has been made compulsory upon the entire ummah by means of a general command. Rasulullaah ﷺ, all the Sahabah and the Tabi’een, including the entire ummah, every nation and every country are fulfilling this compulsion at every place. **It has not been classified as one of the compulsory acts of Islaam, but it is part of the signs of Islaam.**[286]

وَالْبُدْنَ جَعَلْنٰهَا لَكُمْ مِّنْ شَعَآئِرِ اللهِ لَكُمْ فِيْهَا خَيْرٌ

“And We have made the large (sacrificial) animals (camels and cows) from the landmarks (distinctive signs) of (the Deen of) Allaah”

The lesson of Qurbaani

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286 Ahkaam wa Tarikh e Qurbaani p.23

Every year this lesson is taught at the time of Qurbaani that it is necessary for man to sacrifice everything of his for the pleasure of Allaah , otherwise his Imaan will not be complete and he will not be fulfilling the rights of bondsman ship.

The life that was given was his

the reality is that the right of it was not fulfilled[287]

To give the meat of Qurbaani in exchange for something

It is not permissible to give the Qurbaani meat in exchange for something besides food, nor is it permissible to sell it or give it to the butcher or worker. If a person has done so, then he should give the value of it in charity.[288]

To feed the Qurbaani meat to workers

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287 Ahkaam wa Tarikh e Qurbaani p.22

288 Shaami vol.6 p.328, Bada'i vol.5 p.81, Hindiyyah vol.5 p.301, Fath ul Qadeer vol.8 p.437, Al Bahr vol.8 p.178

After cooking the Qurbaani meat, it is permissible to feed it to the workers because **the rulings of Qurbaani do not apply after the meat has been cooked.**[289]

The time of Qurbaani

#…..On the 10th of Dhul Hijjah after Eid Salaat until just before sunset of the 12th Dhul Hijjah. Whichever day a person wants to do Qurbaani, it will be valid. However, the best day to do Qurbaani is the first day of Eid, then the second and then the third.[290]

The time of Qurbaani in the outlying villages (where Jumu'ah and Eid is not performed) is from after true dawn, i.e. it is permissible to make Qurbaani from this time.[291]

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289 Hindiyyah vol.5 p.301, Shaami vol.6 p.329, Al Bahr vol.8 p.179, Fath ul Qadeer vol.8 p.437

290 Fath ul Qadeer vol.8 p.432, Bada'i vol.5 p.65, Shaami vol.6 p.318

291 Hindiyyah vol.5 p.295, Bada'i vol.5 p.73, Shaami vol.6 p.318, Al Bahr vol.8 p.175

#.....It is not valid to make Qurbaani before the Eid Salaat in those areas where Jumu'ah and Eid Salaat is compulsory. Qurbaani should be done after completing the Salaat.[292] If a person made Qurbaani before completing Salaat, then that Qurbaani is not considered. It is necessary for him to do another Qurbaani after the Salaat has been completed.[293]

#.....If a person from a city or town sends his Qurbaani animal to a village, then it is valid for his Qurbaani to be done before the Eid Salaat if he is in the city. It is permissible to do the Qurbaani after true dawn before the Salaat in the villages if he sent his Qurbaani animal there. He can ask for the meat and eat it after it has been slaughtered.[294]

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[292] Hindiyyah vol.5 p.295, Fath ul Qadeer vol.8 p.432, Bada'i vol.5 p.73, Shaami vol.6 p.318

[293] Hindiyyah vol.5 p.295, Bada'i vol.5 p.73, Al Bahr vol.8 p.175

[294] Al Bahr vol.8 p.175, Shaami vol.6 p.318, Hindiyyah vol.5 p.297, Fath ul Qadeer vol.8 p.431

#…..It is valid to do Qurbaani before sunset on the 12th of Dhul Hijjah. Once the sun has set, it is not valid to do Qurbaani. Now it will be necessary to give charity.[295]

#…..A person is permitted to do Qurbaani from the 10th to the 12th, day and night. However, it is better to do it during the day, although it is not prohibited at night.[296]

#…..**It is permissible to do Qurbaani once the Eid Salaat has been performed in any Masjid or Musallah of the city. It is not necessary that the person performing Qurbaani should complete the Eid Salaat.**[297]

#…..If for some reason the Eid Salaat could not be performed on the 10th, then it would be permissible to do Qurbaani on that day after Zawaal.[298]

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[295] Hindiyyah vol.5 p.295

[296] Hindiyyah vol.5 p.295, Bada'i vol.5 p.65, Shaami vol.6 p.318, Fath ul Qadeer vol.8 p.432

[297] Hindiyyah vol.5 p.295, Bada'i vol.5 p.73, Al Bahr vol.8 p.175

[298] Hindiyyah vol.5 p.295

The defect created at the time of Qurbaani

#…..There is no consideration given to a defect created in the animal at the time of Qurbaani. The Qurbaani will be valid.[299]

#…..If a person laid the animal down for Qurbaani and before he could stroke the knife, the animal's eye came out on its own, then the Qurbaani will be valid. ['Inaayah alal Hidaayah vol.8 p.435][300]

The person performing Qurbaani is in one country and the animal is in another country

If the person performing Qurbaani is in one country and the Qurbaani animal is in another country, then in this case, both the person and the animal will be considered,

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299 Hindiyyah vol.5 p.299, Al Bahr vol.8 p.177, Fath ul Qadeer vol.8 p.435, Bada'i vol.5 p.76

300 Hindiyyah vol.5 p.299, Bada'i vol.5 p.76

i.e. **it will be necessary to do the Qurbaani on the common Eid day between them.**[301]

For example, one person stays in Saudi Arabia and he wants to do his Qurbaani in Pakistan. So, the animal is in Pakistan and the person performing Qurbaani is in Saudi Arabia. Generally, in Saudi Arabia, the day of Qurbaani is one day before and that of Pakistan is one day after. In this case, the common days of Qurbaani will be the first and second day in Pakistan. For this reason, the Qurbaani animal should be slaughtered on the first or second day, otherwise the Qurbaani will not be valid. For example, if the Qurbaani was done one the 9th or the 12th of Dhul Hijjah in Pakistan, then the Qurbaani of the person in Saudi Arabia will not be valid.

The person performing Qurbaani passes away before Qurbaani

#…..If the person performing Qurbaani passes away during the days of Qurbaani before performing Qurbaani, then the Qurbaani falls off him, on condition that the person is wealthy, not a poor person.[302] It will be

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301 Hindiyyah vol.5 p.296, Bada'i vol.5 p.74

302 Hindiyyah vol.5 p.293, 297, Bada'i vol.5 p.65,

better if the heirs are mature and they all make Qurbaani on behalf of the deceased.[303]

#…..If a poor person bought an animal with the intention of Qurbaani and before slaughtering the animal during the days of Qurbaani, he passed away, then the Qurbaani does not fall off. It is necessary for his heirs to slaughter that animal.[304]

Mustahab actions for the person making Qurbaani

#…..It is Mustahab for the person who intends making Qurbaani not to clean off any hair or nails from the beginning of Dhul Hijjah until he slaughters his animal. This is because the person performing Qurbaani is performing it in exchange of his life and every part of the Qurbaani animal is in lieu of every part of his body. There is not a part of a person's body where mercy does not descend. Then it is like being deprived of the mercy of Qurbaani. It is for this reason that Rasulullaah ▯ gave this command. However, it will be necessary for a

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303 Al Bahr vol.8 p.178, Shaami vol.6 p.326, Bada'i vol.5 p.72

304 Bada'i vol.5 p.66, Al Bahr vol.8 p.175, Hindiyyah vol.5 p.305

person to clip his nails and trim his hair if the period has exceeded forty days since the time he last did so.[305]

Upon whom is Qurbaani compulsory?

#…..Qurbaani is compulsory upon every understanding, mature, resident Muslim male and female who owns nisaab or owns extra items (over and above their need) which equals the nisaab amount, i.e. they own an amount that equals the gold and silver nisaab amount, or they possess homes or properties besides the one they live in or they have extra household items that equal the nisaab amount or they have trading stock, shares etc. Then one share of Qurbaani is necessary for them to do.[306]

#…..It is not a condition for a year to pass over the nisaab amount or the items that are over and above ones needs. It is also not a condition for the goods to be trading stock. If a person becomes the owner of it before

[305] Nasa'i vol.2 p.201, Mishkaat p.127, Mirqaat vol.3 p.306

[306] Shaami vol.6 p.312, Hindiyyah vol.5 p.292, Bada'i vol.5 p.64

[Type text]

sunset of the 12th of Dhul Hijjah, then Qurbaani is compulsory upon him/her.[307]

#…..From the three days of Qurbaani, if a person becomes the owner of nisaab even on the last day, or he becomes the owner of goods that are over and above his needs, then Qurbaani becomes compulsory upon him.[308]

#…..If a person has a home other than the one he lives in, whether it is for trade or not, or he has a flat besides the one he lives in, he has a vehicle other than what he needs, then this person is a saahib-e-nisaab with regards to Qurbaani. Qurbaani is compulsory upon him.[309]

#…..If a person possesses trading stock – of any kind – that equals the nisaab amount, then Qurbaani becomes compulsory upon him.[310]

The reality of Qurbaani

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[307] Hindiyyah vol.5 p.292, Bada'i vol.5 p.64

[308] Shaami vol.6 p.315, Bada'i vol.5 p.65

[309] Hindiyyah vol.5 p.293

[310] Al Bahr vol.2 p.228, Shaami vol.2 p.298, Bada'i vol.2 p.20

In essence, the reality of Qurbaani was that a person should present his life before Allaah , but look at the mercy of Allaah , he could accept this. For this reason, he gave the command to slaughter an animal. We will understand that you have sacrificed yourselves.[311]

Qadha of Qurbaani

#…..If the day of Qurbaani passed and if a person did not perform Qurbaani due to ignorance, negligence or neglect, then it is compulsory upon him to give the value of the Qurbaani to the poor and needy. However, the obligation of Qurbaani will not be fulfilled if a person gives the value of the animal in charity during the three days of Qurbaani, such a person will be a sinner because **Qurbaani is a separate form of worship. Just as fasting is not done by a person performing Salaat, and Salaat is not done by a person keeping fast, Hajj is not done by a person giving Zakaat. Similarly, Qurbaani is not done by a person giving charity.[312]**

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311 Khutbaat Hakeem ul Islaam vol.2 p.444, Ahkaam wa Tarikh e Qurbaani p.22

312 Hindiyyah vol.1 p.294, vol.5 p.296, Shaami vol.6 p.320, Bada'i vol.5 p.68

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#…..If a person did not make most of the Qurbaanis of his life and Qurbaani was compulsory upon him, he should now give the value of one share of Qurbaani for every year (that he missed).[313]

Making a vow of Qurbaani

If a person made a vow of Qurbaani, then the Qurbaani becomes compulsory upon him due to the vow. It does not matter whether the person who made the vow is a rich person or a poor person. Qurbaani will become compulsory upon both types of people.[314]

It is necessary to make Qurbaani during the days of Qurbaani

It is necessary to slaughter the Qurbaani animal during the days of Qurbaani. It is not sufficient to give the amount (of it) in charity, to make someone perform Hajj

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313 Ibid

314 Bada'i vol.5 p.61, Shaami vol.6 p.320

or help a poor person.[315] A person will get the reward of doing those actions but he will be sinful for not performing Qurbaani.[316] In the case where the days of Qurbaani passed, then it is necessary to give the value of one share of Qurbaani in charity.[317]

Taking benefit from the Qurbaani animal

If a person cut the hair of the animal, or milked it before Qurbaani, then he should not use it himself. It is necessary for him to give it in charity. However, the hair cut after Qurbaani and the milk taken out from the udders will be permissible to use after Qurbaani because the purpose for which the animal was slaughtered has been attained. It is permissible to make use of the hair, the milk and skin just as it is permissible to use the meat.[318]

Warnings for not making Qurbaani

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315 Hindiyyah vol.1 p.293, Bada'i vol.5 p.65

316 Hindiyyah vol.5 p.293, Bada'i vol.5 p.66, Shaami vol.6 p.312

317 Shaami vol.6 p.320, Bada'i vol.5 p.68

318 Hindiyyah vol.5 p.301, Bada'i vol.5 p.78, Al Bahr vol.8 p.178, Shaami vol.6 p.329, Takmilah Fath ul Qadeer vol.8 p.437

عن أبي هريرة رضي الله عنه أن رسول الله صلى الله عليه وسلم قال من كان له سعة ولم سضح فلا يقربن مصلانا

Hadhrat Abu Hurayrah narrates that Rasulullaah said, "He who does not make Qurbaani despite having the capacity should not come close to our Musallah."[319]

The intention of Qurbaani

It is sufficient to make the intention of Qurbaani in the heart. It is not necessary to say it verbally.[320] However, it is necessary to say بسم الله الله اكبر at the time of slaughtering.[321]

A person bought an animal with the intention of Qurbaani

If a sahib-e-nisaab bought an animal with the intention of Qurbaani stating that I will slaughter it as compulsory

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[319] Ibn Majah p.226, Kanz ul Ummaal vol.5 p.107 Hadith 12261

[320] Hindiyyah vol.5 p.294

[321] Hindiyyah vol.5 p.288, Al Bahr vol.8 p.169, Shaami vol.6 p.301

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Qurbaani during the days of Qurbaani, then it is not compulsory upon this person to slaughter that animal. It will be sufficient if he slaughters another animal in its place. However, it is Makruh to change that animal without a valid need.[322] If it was changed because of some necessity, e.g. such a fault was created in it that would render Qurbaani of it impermissible, then it would be necessary to change it, otherwise, the responsibility of Qurbaani does not fall off by slaughtering an animal that has a fault in it.[323]

The Qurbaani animal

#…..There are three types of Qurbaani animals:

The first type: A male or female camel.

The second type: A male and female goat, a ram and ewe

The third type: Cows and Bulls[324]

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322 Shaami vol.6 p.329, Tahtaawi ala ad Durr vol.4 p.162, Bada'i vol.5 p.62, 66, Al Bahr vol.8 p.175

323 Hindiyyah vol.5 p.299, Al Bahr vol.8 p.177

324 Hindiyyah vol.5 p.297, Shaami vol.6 p.322, Bada'i vol.5 p.69, Al Bahr vol.8 p.177

It is not permissible to make Qurbaani of any animal besides these. It is also a condition that these animals should not be of the wild, but they should be tame and used to humans.[325]

#…..**It is not permissible to slaughter a horse, chicken, deer etc. because it is not proven from Rasulullaah neither by action or word.**[326]

Becoming a partner in the Qurbaani animal

#…..A person bought a big animal for Qurbaani. He made the intention at the time of buying that if I find somebody, I will make him a partner and I will make the Qurbaani with him. After this, a number of people became partners in the animal, then this will be valid.[327]

If there was no intention of making others partners at the time of buying the animal, but the person had the intention of making the entire Qurbaani for himself, then

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[325] Hindiyyah vol.5 p.297, Al Bahr vol.8 p.177, Bada'i vol.5 p.69

[326] Hindiyyah vol.5 p.297, 300, Bada'i vol.5 p.69, Tahtaawi ala ad Durr vol.4 p.160

[327] Hindiyyah vol.5 p.304, Bada'i vol.5 p.72

it is better that he does not make anyone a partner. However, if he wants to make someone a partner, then there are two circumstances,

a) If the person making the other people partners is a wealthy person, then it is valid.[328]

b) If the person making other people partners is poor, then it is not valid.[329]

#…..If a poor person bought the entire animal with the intention of Qurbaani, then he made someone else a partner, then the Qurbaani of the person who joined will be valid. However, the poor person will be responsible for all the shares that he gave. The method of fulfilling this is that if the days of Qurbaani still remain, then he should do that amount of shares extra-he is responsible for the share payment. If the days of Qurbaani have passed, then he should give the value of those shares to the poor.[330]

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[328] Hindiyyah vol.5 p.304, Bada'i vol.5 p.72

[329] Ibid

[330] Hindiyyah vol.5 p.304, Bada'i vol.5 p.72

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A doubt occurred during the days of Qurbaani

If there is doubt with regards to the days of Qurbaani, then a person should not delay the Qurbaani until the third day. He should do the Qurbaani by the second day. If he delayed until the third day, then it is better to give all the meat in charity.[331]

Eid Salaat is sufficient for Qurbaani

#.....**If the Eid Salaat is performed anywhere in the city, it will be permissible to slaughter the Qurbaani animal.** If the person making Qurbaani did not perform the Eid Salaat but the Eid Salaat was performed in any Masjid of the city, then in this case it will be permissible to make Qurbaani without performing the Salaat because **it is not a condition for the person performing Qurbaani to complete the Eid Salaat.** It is sufficient if the Salaat was performed in the Masjid or the Eid Gaah (Musallah).[332]

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331 Hindiyyah vol.5 p.295

332 Hindiyyah vol.5 p.295,296, Al Bahr vol.8 p.175, Shaami vol.6 p.318

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#…..If the Eid Salaat was performed in one part of the city but it has not been performed in another part, then too it will be permissible to slaughter the Qurbaani animal.[333]

Appointing someone to make Qurbaani

#…..It is permissible to appoint someone to perform ones Qurbaani.

#…..If a person appointed a representative to perform his Qurbaani, then the intention of the representative at the time of buying and slaughtering is sufficient and the representative should slaughter the animal on behalf of the person who appointed him.[334]

Becoming an appointed person

Representation in Qurbaani is permissible. A person can make Qurbaani by being a representative of another person. It does not matter whether they are from one

[333] Al Bahr vol.8 p.175, Hindiyyah vol.5 p.295, Shaami vol.6 p.318

[334] Hindiyyah vol.5 p.297, Al Bahr vol.8 p.176, Shaami vol.6 p.318

country or from different countries. No difference will come about in the ruling.[335]

For example, a resident of Karachi, Pakistan can appoint someone in Lahore through phone, fax, mail or e-mail to do Qurbaani for him. Similarly, a person in Saudi Arabia can appoint someone in Pakistan or Afghanistan to make his Qurbaani for him.

Qurbaani is Waajib (compulsory)

Rasulullaah stayed in Madinah Munawwarah for ten years after Hijrah. He performed Qurbaani every year with punctuality.[336]

From this we learn that Qurbaani was not specific to Makkah Mu’azzamah, but it is compulsory upon the resident of every city that has the ability. Rasulullaah

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[335] Hindiyyah vol.5 p.297, Al Bahr vol.8 p.176, Shaami vol.6 p.318

[336] Tirmizi vol.1 p.277, Mirqaat vol.3 p.314

used to emphasize it. It is for this reason that majority of the scholars say that it is waajib (compulsory).[337]

The person making Qurbaani passes away

If a person bought an animal for Qurbaani and he passed away during Ayyaam un Nahr before making Qurbaani, then that animal will become part of the estate of the deceased and the heirs will be entitled to it. Now, if the heirs want to make Qurbaani of it as Isaal e Thawaab for the deceased, they can do so. The deceased will get the reward, otherwise it is not compulsory upon them to slaughter that animal.[338]

Taking a loan and making Qurbaani

If Qurbaani is compulsory and a person does not have cash, then it will be necessary for him to take a loan and make Qurbaani.[339] If Qurbaani is not compulsory, then it is not better to take a loan. If he does the Qurbaani, it

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337 Bada'i vol.5 p.62

338 Shaami vol.6 p.326, Al Bahr vol.8 p.177, Fath ul Qadeer vol.8 p.435, Bada'i vol.5 p.72, Hindiyyah vol.5 p.305

339 Hindiyyah vol.5 p.292

will be permissible and he will get the reward and it will be necessary to fulfill his loan.[340]

The slaughtered animal of the butcher

If the butcher is a Muslim, then the animal slaughtered by him is Halaal. It is permissible to eat of its meat.[341]

Payment of the butcher

#…..**It is not permissible to give the skin or meat of the Qurbaani animal to the butcher as payment or to stipulate it as the payment.** If someone has done so, then the Qurbaani will be permissible but the value of the skin or whatever meat was given, it will be compulsory to give its value in charity.

#…..The payment of the butcher should be a completely different payment, not from any part of the Qurbaani animal. If a person paid from any part of the Qurbaani

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340 Hindiyyah vol.5 p.292, Shaami vol.6 p.321, Al Bahr vol.8 p.168, Bada'i vol.5 p.45

341 Shaami vol.6 p.296

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animal, then it is necessary to give the value of it in charity.[342]

Being a butcher

It is valid to take up the profession of being a butcher and to sell meat. This profession was in vogue during the time of Rasulullaah and some Sahabah used to sell meat.[343]

Adaa Qurbaani together with Qadha Qurbaani

If one partner from the seven made the intention for the Qurbaani of the previous year, then the Qurbaani of all the partners will be valid. However, an optional Qurbaani will be done for the one who made the intention for Qadhaa, the Qadhaa will not be considered. It will be necessary to give all the meat of the animal in charity and it will be necessary to give a medium sized goat in charity in lieu of the Qadhaa Qurbaani.[344]

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342 Hindiyyah vol.5 p.301, Shaami vol.6 p.329, Bada'i vol.5 p.81

343 Bukhaari vol.2 p.817, Fath ul Baari vol.9 p.560 Hadith 5434

344 Shaami vol.6 p.326

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Imprisonment

#…..If a prisoner is a resident, he possesses nisaab, then it will be compulsory upon him to slaughter an animal during the days of Qurbaani. He should do it in the jail or he should tell someone outside the jail. He should do it anywhere out of the jail. In any case, it is necessary for him to do Qurbaani.[345]

#…..If a prisoner is imprisoned in another country or he is imprisoned in his country but at a distance of safr (77Km) and he is the owner of nisaab, then Qurbaani will not be compulsory upon him.[346]

KAAF

The business is in partnership

If a person's parents passed away and the children are staying together and doing business. So, if after distributing the wealth and property of the deceased, every child becomes a sahib-e-nisaab, then it is

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[345] Shaami vol.6 p.312, Hindiyyah vol.5 p.292, Al Bahr vol.8 p.174, Bada'i vol.5 p.64, Takmila Fath ul Qadeer vol.8 p.325

[346] Ibid

necessary for every mature child to make Qurbaani on his own name. If one brother does not make Qurbaani on behalf the other brothers, then the responsibility of Qurbaani remains on them.[347] **It is not compulsory upon the immature children to make Qurbaani.**[348]

Farmer

If a farmer has extra wealth over and above his harvesting tools and animals, and it equals nisaab, then Qurbaani becomes compulsory upon him. If he is not in these circumstances and he does not have extra wealth, then Qurbaani is not compulsory upon him.[349]

Giving meat to a non Muslim

#…..**It is permissible to give Qurbaani meat to a non Muslim – not as payment.** However, the reward for giving to poor Muslims is more because it is Mustahab. Therefore, we should make an effort to give the Qurbaani meat to Muslims.

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347 Bada'i vol.5 p.64, Al Bahr vol.8 p.173, Hindiyyah vol.5 p.192

348 Shaami vol.6 p.312, Hindiyyah vol.5 p.192

349 Hindiyyah vol.5 p.293

#…..If there is a definite underlying reason, then a person can give the Qurbaani meat to a non Muslim, but it is not better because the poor Muslims are not any less in number.

#…..It is permissible to give the Qurbaani meat to the one that collects dirt.[350]

Ears

#…..Qurbaani of an animal that was born without ears is not valid.[351] If there are ears, but a third or more of it is cut, then it will not be permissible for Qurbaani.[352]

#…..If the animal was born with ears but they are very small, then it is valid to use it for Qurbaani. [Shaami][353]

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350 Hindiyyah vol.5 p.300

351 Hindiyyah vol.5 p.297, Bada'i vol.5 p.75, Al Bahr vol.6 p.176, Shaami vol.6 p.323

352 Hindiyyah vol.5 p.298, Shaami vol.6 p.323, Bada'i vol.5 p.75, Al Bahr vol.8 p.177

353 Shaami vol.6 p.324, Bada'i vol.5 p.75

#…..It is permissible to slaughter an animal for Qurbaani whose ears are cut length wise or it is torn towards the face and is hanging, or it is cut from behind, although it is not better.[354]

Kaafir

If a Kaafir accepts Islaam during the days of Qurbaani, in fact, even before sunset of the 12th, and he is wealthy and possesses nisaab, then one share of Qurbaani is compulsory upon him if the time of Qurbaani is remaining, otherwise it will be necessary for him to give the value of a medium sized goat in charity if the time has already passed.[355]

One eyed

It is not valid to slaughter an animal that is one-eyed.[356]

Testicles

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354 Shaami vol.6 p.325, Al Bahr vol.8 p.177, Bada'i vol.5 p.76

355 Aalamgiri vol.5 p.292, Bada'i vol.5 p.65

356 Al Muheet Al Burhaani vol.8 p.176, Bada'i vol.5 p.75, Al Bahr vol.8 p. 176, Shaami vol.6 p.323

It is Makruh Tahreemi to eat the testicles of the animal and the testicles of an animal that was not slaughtered is Haraam.[357]

Library

#…..If a library is by a person who is not educated, but he is keeping it for someone else to study and the books equal or is more than the nisaab amount, then Qurbaani is compulsory on the owner of those books.

#…..If the owner of the library is educated and he has kept it for study, then Qurbaani is not compulsory upon the owner of the books.[358]

#…..If the books of the library are for trade and the value of the books equal or is more than nisaab, then Qurbaani is compulsory upon the owner.[359]

How many Qurbaani are waajib?

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[357] Shaami vol.6 p.749

[358] Hindiyyah vol.5 p.293

[359] Shaami vol.6 p.312, Hindiyyah vol.5 p.292

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One Qurbaani is compulsory upon the sahib-e-nisaab. It does not matter how wealthy he is or how much nisaab he owns. It is necessary for one person to do one Qurbaani. It could be a male or female goat, a male or female sheep or he could slaughter a bull or cow or a share in a camel, cow or bull. (Both instances will be permissible)[360]

Raw meat

It is permissible to eat Halaal raw meat. Cooking is not a condition for the meat to be Halaal.[361]

Something given on rent

If a person gives something on rent and its value equals or is more than nisaab, then it is compulsory upon him to slaughter one share of Qurbaani because something

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360 Shaami vol.6 p.313, 315, Bada'i vol.5 p.70, Hindiyyah vol.5 p.304, Al Bahr vol.8 p.174, Takmila Fath ul Qadeer vol.8 p.429

361 Hindiyyah vol.5 p.286, Kifaayatul Mufti vol.8 p.262

given on rent is over and above one's basic needs as long as it is on rent.[362]

Tiller

If a tiller has an amount of animals over and above his tools that equals or is more than nisaab, then Qurbaani is compulsory upon him. It is compulsory to make one share of Qurbaani. If he is not in these circumstances and he has no other wealth, then Qurbaani is not compulsory upon him.[363]

A weak animal

If an animal is so weak that there is no marrow left in its bones, then it is not valid to use it for Qurbaani. However, if it is not so weak and it can walk, then it will be valid to use it for Qurbaani.[364]

Skin

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[362] Hindiyyah vol.3 p.344, Aalamgiri vol.5 p.292, Shaami vol.6 p.112, Takmila Fath ul Qadeer vol.8 p.425, Bada'i vol.5 p.64, Al Bahr vol.8 p.174

[363] Hindiyyah vol.5 p.293

[364] Hindiyyah vol.5 p.297

(a) A person has three types of choices as long as the skin is with him, (1) He can use it himself, (2) He can gift it to somebody, (3) He can give it in charity to the poor and needy.[365]

(b) If a person sold the skin for cash or he sold it for something else, then it is compulsory upon him to give that amount in charity.[366]

(c) It is permissible to sell the skin with the intention of giving the amount in charity. It is a sin to sell the skin with the intention of using the money one's self, even though the sale might be valid.[367]

Removing the skin

#…..When an animal is slaughtered in accordance to the Shari'ah and its blood has come out, i.e. it has cooled down, then it is permissible to remove the skin. It does not matter whether one takes the entire skin off at once,

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365 Hindiyyah vol.5 p.301, Shaami vol.6 p.328

366 Al Bahr vol.8 p.178

367 Ibid

or in small pieces or a person could include the skin of the horns to the skin of the body. All these methods are valid.[368]

#…..It is impermissible and Haraam to remove the skin after slaughtering the animal, before it has cooled down. It is necessary to stay away from such an action.[369]

The skin got burnt

If the hair of an animal does not stand properly because of the skin getting burnt and there is no wound and all the limbs are intact and healthy, then it will be permissible to slaughter it for Qurbaani.[370]

Selling the skin before slaughtering

It is Haraam to sell the skin before slaughtering the animal. For this reason, those who sell the skin before slaughtering are doing an action that is impermissible

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[368] Hindiyyah vol.5 p.300

[369] Hindiyyah vol.5 p.287

[370] Hindiyyah vol.5 p.298, Qinyah vol.2 p.40 from Imdaad ul Fataawa vol.3 p.597

[Type text]

and Haraam. Otherwise, it is permissible to be true to one's word.[371]

Giving the skin in exchange for something

#…..It is not permissible to give the skin of the Qurbaani animal to the worker, Imam, Muazzin or servant as a wage.[372]

#…..If the above mentioned individuals are deserving of Zakaat, then it is valid to give it to them without taking anything in return.[373]

#…..It is not permissible to give the skin of the Qurbaani animal to the butcher as a wage.[374]

Giving the skin to someone

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371 Zawaal us Sunnah p.23, Aghlaat ul Awaam p.139, Bada'i vol.5 p.139, 147

372 Shaami vol.6 p.328, Al Bahr vol.8 p.178

373 Ibid

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[Type text]

It is permissible to use the skin of the Qurbaani animal and it is permissible to give it to someone, whether he is wealthy or poor, a Hashimi or anyone else, ones parents or ones children. It is also not compulsory to make the person the owner of it because it is permissible to use it as a Musallah, a bucket, or for anything else in which it is not necessary to make someone the owner. However, if the person making Qurbaani does not benefit from the skin, nor does he gift to someone, but he sells it, then it will be compulsory to give the value in charity.[375]

Giving the value of the skin as wages

It is not permissible to give the value of the skin as wages because it is necessary to give the value of the skin in charity and the reality of charity is that it should be given to a poor needy person without taking anything in return. If it is given as wages, then it will be hiring. If it is given to a rich person, then it will be a gift, not charity. Poor people and poor students are deserving of it.[376]

Making the value of the skin a means of earning

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[375] Hindiyyah vol.6 p.294, Bada'i vol.5 p.81, Shaami vol.6 p.328

[376] Shaami vol.6 p.328, Al Bahr vol.8 p.178

It is not permissible to make the value of the skin a means of earning. Those who collect the skins should give it to the poor as soon as possible, otherwise, they will be sinful.[377]

Using the value of the skin

It is not permissible to use the value of the skin after selling it. If a person used it, then it will be compulsory to give its value in charity, otherwise the full reward of Qurbaani will not be attained.[378]

Those deserving of the value of the skin

Those deserving of the skins are the same as those that deserve Zakaat, i.e. poor Muslims, the students of orphanages, Deeni Madaaris, those in need etc.[379]

Making a plan with the value of the skin

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[377] Hindiyyah vol.6 p.296

[378] Ibid

[379] Shaami vol.2 p.339, 328, 250, Al Bahr vol.2 p.243, Bada'i vol.2 p.39, Taataarkhaaniyyah vol.2 p.272

#…..It is necessary to give the value of the skin of the Qurbaani animal in charity to the poor and needy if a person sold it, i.e. it is necessary to make them the owner of it. It is not permissible to give it to anyone besides the poor and needy. If there is a severe need to spend this money on someone besides the poor and needy, then it is necessary to make a plan. The method of the plan is that after selling the skin, the amount should be given to a needy or poor person and he should be made the complete owner of it. It should then be told to him that give it on your own accord to a Masjid or Madrasah building or towards the salaries of the teachers etc. and he gives it on his own accord. It will then be permissible to use this money for the Masjid, Madrasah or the teacher's salaries. This condition should not be made at the time of giving the money, but it should be told to him after he has been made the owner.[380]

#…..If the person slaughtered an animal and gave the skin to a poor deserving person and the person who received it then sold it. It will be permissible for him to give it for the wages of the teachers or in the building of

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[380] Shaami vol.2 p.271, 345, Al Bahr vol.2 p.243, Bada'i vol.2 p.39, Taataarkhaaniyyah vol.2 p.272

the Masjid. However, if the person who made the Qurbaani sold it himself, then he cannot give it as wages or in the Masjid, but it will be necessary for him to give it in charity.[381]

Itching

It is valid to slaughter an animal that has a sickness of itching but it has not yet reached the meat. If the effect of the sickness or wound has reached the meat, then it will not be valid to use that animal for Qurbaani.[382]

Heel

It is permissible to eat the heel because it is not from among the Haraam parts.[383]

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An animal was found pregnant

If a person bought an animal with the intention of Qurbaani and then found that it was pregnant, then if the

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381 Ibid

382 Shaami vol.6 p.323, Bada'i vol.5 p.76, Hindiyyah vol.5 p.298

383 Shaami vol.6 p.749

person who bought the animal is a sahib-e-nisaab, then he can buy another animal for Qurbaani and he can rear the pregnant animal. If he wants to sell it, then he can do so as well.

If the person who bought the animal is not a sahib-e-nisaab, then it is compulsory upon him to slaughter that very animal. For details, see under ‘Pregnant animal’.[384]

Slaughtering a cow

Slaughtering a cow is proven from the Qur’aan[385] and Hadith.[386] Seven people can form a partnership in it.

If there is restrictions on slaughtering cows

In India and in other countries where Hindus rule, there are restrictions upon slaughtering cows. In such areas and localities, Muslims should not make Qurbaani of cows, but they should make Qurbaani of male and female goats, male and female sheep, buffalos, bulls and

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384 Kifaayatul Mufti vol.8 p.189

385 Surah An’aam, verse 144

386 Bukhari vol.2 p.832, Tirmizi vol.1 p.276, Bada’i vol.5 p.70, Al Bahr vol.8 p.174, Takmila Fath ul Qadeer vol.8 p.429

camels. This is so that fitnah, fighting and trouble are not created. However, if someone did slaughter a cow despite all this, then the Qurbaani will be valid and the responsibility will be fulfilled.[387]

It is not valid to stop someone from slaughtering a cow

It is impermissible and Haraam for a Muslim to agree with non Muslims in such things which entail the destruction and dishonouring of the outstanding characteristics of Islaam. **It is not permissible for a Muslim to agree or back non Muslims in stopping others from slaughtering cows because in it lays the destruction of Islaam. The person who supports the non Muslims in the destruction of Islaam cannot remain a Muslim.[388]**

Slaughtering from the back of the neck

387 Surah Baqarah, verse 191

388 Surah Maa'idah, verse 2

[Type text]

It is prohibited to slaughter the animal from the back of the neck. The meat of an animal slaughtered from the back of the neck side is not Halaal according to Hadhrat Abdullaah bin ‘Abbaas .[389]

The ruling pertaining to the Qurbaani of previous years

The Qurbaani of previous years remain upon a person. It is compulsory to give the value of the animal in charity. If a person took two shares in a big animal, one share for the previous year and one for this year, then the Qurbaani of every partner will be fulfilled. However, the Qurbaani of this year will be fulfilled, but the Qurbaani done with the intention of Qadhaa will not be done. It will stand as optional. It will be necessary to give the value of a goat in charity for the Qadhaa of the previous year’s Qurbaani.[390]

Previous sins forgiven

[389] Hindiyyah vol.5 p.287, Al Bahr vol.8 p.170

[390] Hindiyyah vol.5 p.294, Bada’i vol.5 p.66, Shaami vol.6 p.312, Al Bahr vol.8 p.178

It is narrated from Hadhrat Abu Sa'eed Khudri that Rasulullaah said to Hadhrat Faatima radiyallaahu anha, "Faatima, stand and stay by your Qurbaani animal (and see it being slaughtered) because your previous sins are forgiven with the first drop of blood that falls on the ground."

Hadhrat Faatima radiyallaahu anha asked, "O Rasul of Allaah, is this virtue special with us (the family of Rasulullaah) or are we and all the Muslims deserving of this reward?" Rasulullaah said, "It is for us and for all the Muslims." [At Targhib wat Tarheeb vol.2 p.393][391]

A defect was created due to falling

If a Qurbaani animal was put down for slaughter, and a fault was created in it. Then no consideration is given to this fault. The Qurbaani of this animal will be valid.[392]

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[391] Kanz ul Ummaal vol.5 p.102, Hadith 12237, Bada'i vol.5 p.79, Al Bahr vol.8 p.179, Shaami vol.6 p.328

[392] Hindiyyah vol.5 p.299, Al Bahr vol.8 p.177, Fath ul Qadeer vol.8 p.435, Bada'i vol.5 p.76

[Type text]

An animal that is kept as surety

It is not valid to use an animal for Qurbaani that is kept as surety because the person keeping the animal is not the owner of the animal.[393]

The throat was cut

If the throat of the chicken or any other animal was totally separated from the body during slaughter, then it will be valid to eat it, it is not Makruh. It is however Makruh to intentionally slaughter the animal in such a way. The animal will not be Makruh.[394]

Meat

#…..It is valid to eat the Qurbaani meat, to give it to the wealthy and poor, to dry it and keep it and to keep it in the fridge.[395]

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393 Hindiyyah vol.5 p.303, Shaami vol.6 p.331

394 Hindiyyah vol.5 p.287, Bada'i vol.5 p.60, Al Bahr vol.8 p.170

395 Hindiyyah vol.5 p.300, Al Bahr vol.8 p.178

#…..Besides the meat of a Qurbaani made by vow or bequest, the meat of any Qurbaani can be eaten by the poor and wealthy.[396]

Distributing the meat by weight

#…..If seven people are partners in a big animal, then the meat should be weighed and distributed. **It should not be distributed by estimation,** otherwise the partners will be sinful due to the aspect of interest which will crop up if one person gets more and another person gets less.[397] However, if the trotters, skin etc. is added to the meat and then it is distributed and if the meat is less, then there is no problem, it does not matter how much less the meat is.[398]

#…..If all the shareholders are eating in one place, they are not in different places, then there is no need to weigh the meat and distribute it.[399]

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[396] Shaami vol.6 p.327, Hindiyyah vol.5 p.300

[397] Shaami vol.6 p.317, Bada'i vol.5 p.67, Al Bahr vol.8 p.174

[398] Shaami vol.6 p.317, 318, Al Bahr vol.8 p.174

[399] Shaami vol.6 p.317

[Type text]

#…..If all the shareholders are happy if the meat is not distributed, it is rather all cooked at one place and eaten or it is given in charity, then it is permissible. There is no need to distribute it.[400] However, if even one of the shareholders is not happy with this arrangement, and he wants his share to be measured and wants to take it away, then it will be necessary to distribute it.[401]

#…..Seven people can have shares in a big animal for Qurbaani. There is no difference if the shareholders are locals or strangers. If the shareholders are one's brothers, are of one household etc. then there is no need to distribute the meat. If they want, they can all gather and keep the meat together and eat from it.[402]

Washing the meat

The meat of an animal that has been slaughtered in a Halaal way that has been separated is pure. It is not necessary to wash it before cooking. It is not prohibited

[400] Ibid

[401] Shaami vol.6 p.317

[402] Shaami vol.6 p.317, Bada'i vol.5 p.67, Al Bahr vol.8 p.174

to wash it and cook it. A person can do whatever he likes.[403]

It is necessary to give the meat as Sadaqah

If the Qurbaani was of a vow or of a bequest, then it is necessary to all the meat to the poor and needy. The person who slaughtered the animal, or his relatives and wealthy people cannot eat of it. Besides these two types of Qurbaani, the person slaughtering, his family, wealthy and poor people can eat of the meat.[404]

Selling the meat

If a person sold the Qurbaani meat, then it is necessary for him to give the equal amount of cash in charity.[405]

Becoming a partner in intending to sell the meat

Seven people got together and bought an animal. It was then learnt that the intention of one person was to sell the

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403 Fataawa Mahumudiyyah vol.2 p.326, Tahtaawi ala Maraaqi al Falaah vol.1 p.83, Hindiyyah vol.5 p.286, Shaami vol.6 p.327, Bada'i vol.5 p.62

404 Hindiyyah vol.5 p.295, 300, Shaami vol.6 p.627

405 Hindiyyah vol.5 p.301, Al Bahr vol.8 p.178

meat. In such a case, another person making Qurbaani should buy the share of such a person, then the Qurbaani should be made, otherwise the Qurbaani of all the shareholders will be corrupted. None of the shareholder's Qurbaani will be valid because it is necessary that Qurbaani be done solely for the pleasure of Allaah , otherwise the Qurbaani will not be valid.[406]

Making Qurbaani with the intention of eating meat

#…..If a person made Qurbaani with the intention of eating meat, not with the intention of attaining reward, then his Qurbaani is not valid. It is necessary for such a person to do another Qurbaani during the days of Qurbaani.[407]

#…..If one of the shareholders in a Qurbaani animal did not make the intention of reward and he did not make the intention of making a compulsory Qurbaani, he made the intention to make Qurbaani only to eat meat, then his Qurbaani is not valid. If a person did this on purpose in a big animal, then none of the shareholder's Qurbaani will

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[406] Hindiyyah vol.5 p.304, Bada'i vol.5 p.72, Shaami vol.6 p.326,

[407] Hindiyyah vol.5 p.304

[Type text]

be valid. It is necessary for all of them to make another Qurbaani.[408]

Distributing the meat

It is better that the meat is divided into three parts. One part for one's house, a second part for one's relatives and friends and a third part for the poor and needy. However, if one's family is big and one needs the meat, then one can keep the meat for one's house. It is not a sin.[409]

Slaughtering by a dumb person

The slaughtered animal of a dumb person is Halaal. It is permissible to eat of its meat because the dumb person is excused from reciting بسم الله الله اكبر at the time of slaughter.[410]

Qurbaani on behalf of every person of the household

If there are a number of individuals in one home and all of them are sahib-e-nisaab, and one share of Qurbaani is

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408 Hindiyyah vol.5 p.304

409 Hindiyyah vol.5 p.300

410 Shaami vol.6 p.297, 298

[Type text]

compulsory upon each one of them. So, in this case, it will not be sufficient to slaughter one small animal on behalf of every person of the household, or one person's Qurbaani will not be sufficient for every individual of the home.[411] In this case, it is necessary for every individual to make a separate share of Qurbaani. Each one should make a Qurbaani of a small animal or seven individuals can join in a big animal.[412]

Animals that have worn out teeth

If the teeth of an animal is worn out and it has joined the gums, **but it has the ability to eat grass, then it is valid to make Qurbaani of it.** If the animal does not have the ability to eat grass, then it is not permissible to use it for Qurbaani.[413]

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[411] Shaami vol.6 p.313, 315, Hindiyyah vol.5 p.292

[412] Hindiyyah vol.5 p.304

[413] Hindiyyah vol.5 p.298, Bada'i vol.5 p.75, Al Bahr vol.8 p.176, Shaami vol.6 p.324, Takmila Fath ul Qadeer vol.8 p.434

Horse

It is not permissible to make Qurbaani of a horse. It is not proven verbally or practically from Rasulullaah ▯.[414]

Eid Salaat was performed on the 11th or 12th

If the Eid Salaat could not be performed on the 10th of Dhul Hijjah due to a curfew, strong winds, rain, hurricanes and rain etc., but it was performed on the 11th or 12th, then in this case it will be permissible to make Qurbaani before the Eid Salaat.[415]

LAAM

A weak animal

#…..It is not valid to make Qurbaani of such a lean, weak animal in whose bones there is no marrow – to such an extent that it cannot walk to the place of slaughter.

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414 Hindiyyah vol.5 p.297, Al Bahr vol.8 p.177, Shaami vol.6 p.322, Bada'i vol.5 p.69

415 Hindiyyah vol.5 p.295

#…..If the animal is not so lean, then there is no problem with being lean, it will be permissible to use this animal for Qurbaani.[416] It is however much better to make Qurbaani of a fat healthy animal.[417]

Clothing

Men and women should wear their best clothes on the day of Eid, whether new or used. It is better for men to wear white. It is permissible to wear clothing of other colours. Red and yellow clothing is Makruh for men.

Lame

#…..It is not valid to make Qurbaani of an animal that is so lame that it can only walk with three legs, it cannot put the fourth leg on the ground, or it can put the fourth leg on the ground but it cannot put its body weight on it.[418]

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416 Shaami vol.6 p.323, Bada'i vol.5 p.75, Hindiyyah vol.5 p.298

417 Shaami vol.6 p.323, Bada'i vol.5 p.75, Hindiyyah vol.5 p.297

418 Shaami vol.6 p.323, Hindiyyah vol.5 p.297, Bada'i vol.5 p.75

If the animal places its fourth foot on the ground, and it takes support from it, but it limps, then Qurbaani of it is valid.[419]

#…..**It is not permissible to make Qurbaani of such an animal that is so lame that it cannot walk to the place of slaughter.**[420]

Buying an animal on loan

It is permissible to make Qurbaani with money taken on loan. However, it is impermissible and Haraam to take a loan on interest.[421]

Branding with iron

It is valid to make Qurbaani of an animal that has been branded with iron on its thigh etc.[422] It is however better that there is no apparent fault on the animal.[423]

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419 Shaami vol.6 p.323

420 Shaami vol.6 p.323, Bada'i vol.5 p.75

421 Fataawa Rahimiyyah vol.10 p.52

422 Hindiyyah vol.5 p.297, Shaami vol.6 p.325

423 Shaami vol.6 p.323, Bada'i vol.5 p.75, Hindiyyah vol.5 p.297

MEEM

A rich person became poor before Qurbaani

If a person was a sahib-e-nisaab and he bought an animal with the intention of Qurbaani, but before the days of Qurbaani could come in, he became poor and he remained without nisaab until the end of the days of Qurbaani, so Qurbaani does not become compulsory upon him. Such a person can sell this animal and use this for his needs. If he becomes a sahib-e-nisaab at the end of the days of Qurbaani, then Qurbaani becomes compulsory upon him, whether he does Qurbaani of the animal that he bought or with another animal. In any way, it will be necessary for him to do Qurbaani.[424]

A rare moment for the rich

It is appropriate for the wealthy that wherever they make Qurbaani for themselves, they should make on behalf of their relatives, like their parents and send the reward to them. A person can make on behalf of Rasulullaah , his

[424] Fataawa Mahmudiyyah vol.2 p.323, 296

spouses, the Khulafaa e Raashidin, the leaders of the Muslims and for ones mentors and teachers.[425]

Wealth is taken into consideration

If a male or female goat was born from a goat and deer mating, then it will be valid to make Qurbaani of it. **This young will be in the order of the mother, and the mother is a goat, so this young will also be a female goat.** And it is permissible to make Qurbaani of a female goat.[426]

Mad

Qurbaani is not compulsory on a mad person. If a mad person has wealth that is equal to nisaab, gold or silver, or trading stock or he has wealth that is over and above his basic needs, then it is not compulsory upon his guardian to make Qurbaani on his behalf because it is a condition to be sane in order for Qurbaani to become compulsory.[427]

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425 Shaami vol.6 p.326, Bada'i vol.5 p.72

426 Hindiyyah vol.5 p.297, Bada'i vol.5 p.69

427 Al Bahr vol.8 p.175

Qurbaani of a mad animal

If an animal is mad, but it is fat and healthy, then it will be permissible to make Qurbaani of it.[428]

A beloved practice

عن عائشة قالت قال رسول الله صلى الله عليه وسلم ما عمل يوم النحر أحب الى الله من اهراق الدم وانه لياتى يوم القيامة بقرونها واشعارها واظلافها وان الدم ليقع من الله بمكان قبل أن يقع بالأرض فطيبوا بها نفسا. ترمذي ١/٢٧٥ مشكوة ١٢٨

Hadhrat Ayesha radiyallaahu anha narrates that Rasulullaah said that there is no action of the children of Aadam more beloved to Allaah on the 10th of Dhul Hijjah, i.e. Eid ul Adha than Qurbaani. The Qurbaani animal will come on the Day of Qiyaamah with its horns and hair and hooves. And before the blood of the Qurbaani falls, he (the one for whom the Qurabaani is done) reaches the happiness and place of acceptance by Allaah. Therefore, O servants of Allaah, make Qurbaani with complete happiness of heart.

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428 Shaami vol.5 p.323, Hindiyyah vol.5 p.298, Takmila Fath ul Qadeer vol.8 p.434, Al Bahr vol.8 p.176, Bada'i vol.5 p.75

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Sickness is apparent

It is not valid to make Qurbaani of an animal upon which sickness is apparent.[429]

Chicken

It is not permissible to slaughter a chicken for Qurbaani. There is no verbal or practical proof for this from Rasulullaah .[430]

A feeble animal

It is not valid make Qurbaani of an animal that is so lean and lame and it does not have any marrow in its bones. However, if it is not so lean, it is just weak, it can walk properly, then it will be valid to slaughter it for Qurbaani.[431]

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429 Shaami vol.6 p.323

430 Hindiyyah vol.5 p.297, 300, Al Bahr vol.8 p.177, Shaami vol.6 p.322, Bada'i vol.5 p.69

431 Shaami vol.6 p.323, Bada'i vol.5 p.75, Hindiyyah vol.5 p.298

An animal left in the name of a grave

See 'An animal left in the name of an idol' for details.

Occupation

The meat, fat, skin, head, feet etc. should not be given to the butcher as wages, but he should give wages separately, otherwise it will be compulsory to give the amount of those parts (of the animal) in charity.[432]

A traveller

#…..**It is not compulsory upon a traveller to make Qurbaani.** If he wants to make Qurbaani out of his own happiness, then he can do so. He will be rewarded.[433]

#…..If a traveller has wealth and he can make Qurbaani easily, then it is Mustahab to make Qurbaani.[434]

#…..If a traveller came to his home or became a resident and he became capable during the days of Qurbaani –

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432 Shaami vol.6 p.328, 329, Bada'i vol.5 p.81

433 Shaami vol.6 p.312, Hindiyyah vol.5 p.292, Bada'i vol.5 p.63

434 Ibid

before sunset of the 12th of Dhul Hijjah, then Qurbaani is compulsory upon him. If he is not capable, but he is poor, then Qurbaani is not compulsory upon him.[435] However, if he bought an animal with the intention of Qurbaani during the days of Qurbaani, then Qurbaani of that very animal is compulsory.[436]

Giving the skins in the Masaajid

After selling the skins, it is compulsory to give the value accrued in charity. The reality of charity is that whoever is given the charity, he is made the owner of it. This is because transfer of ownership is not found in giving it to the Masjid. It is for this reason that it is not permissible to give the value accrued towards the building of the Masjid, or towards the wages of the Mu'azzin and Imam and worker.[437]

A traveller and Takbeer

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435 Hindiyyah vol.5 p.292, Bada'i vol.5 p.615

436 Hindiyyah vol.5 p.292, Bada'i vol.5 p.65

437 Shaami vol.6 p.328, Al Bahr vol.2 p.243, Taataarkhaaniyyah vol.2 p.272, Bada'i vol.2 p.39

[Type text]

Due to following, it is also compulsory upon the traveller to say the Takbeer-e-Tashreeq.[438]

The slaughtered animal of a Muslim

#…..The slaughtered animal of a Muslim is Halaal. A person should not doubt the slaughtered animal of either a new or old Muslim. It is permissible to take the name of Allaah and eat it.[439]

#…..The slaughtered animal of every Muslim is Halaal. No difference will be created in the Halaal status of the animal due to someone's ill nature or verbal abuse.[440]

Partnership of a polytheist

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438 Hindiyyah vol.1 p.152

439 Hindiyyah vol.5 p.285, Shaami vol.6 p.296

440 Ibid

[Type text]

It is not permissible to be partners with a polytheist in Qurbaani. If a polytheist was made a partner on purpose, then none of the partners' Qurbaani will be valid.[441]

There is no marrow

It is not valid to make Qurbaani of an animal that does not have any marrow left in it.[442]

A person in debt performing Qurbaani

The person who is in debt should worry about fulfilling his debt. He should not perform Qurbaani. However, if he did perform Qurbaani, he will be rewarded.[443]

House

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441 Ahsan ul Fataawa vol.7 p.510

442 Shaami vol.6 p.323, Hindiyyah vol.5 p.298, Bada'i vol.5 p.75

443 Imdaad ul Mufteen vol.2 p.685

If a person has more than one house, then if the value of the house equals or exceeds that of nisaab, then one share of Qurbaani is compulsory upon this person.[444]

The place is taken into consideration, not the resident

#…..In Qurbaani, consideration is given to the place of the animal, not the person performing Qurbaani. If the Qurbaani animal is in such a village where Eid and Jumu'ah are not compulsory and the person performing Qurbaani is in a city, then in this case it will be permissible to make Qurbaani of the animal after Subh Saadiq in the village.[445]

#…..If the animal is in a city and the person performing the Qurbaani is in a village, then in this case, it will not be permissible to slaughter the animal until the Eid Salaat is not performed at one place in the city.[446]

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444 Hindiyyah vol.3 p.344, Aalamgiri vol.5 p.292, Shaami vol.6 p.312, Al Bahr vol.8 p.174, Fath ul Qadeer vol.8 p.425, Bada'i vol.5 p.64

445 Hindiyyah vol.5 p.296, Bada'i vol.5 p.74

446 Hindiyyah vol.5 p.296, Bada'i vol.5 p.74

[Type text]

The house is given on rent

#…..If a person has one house, but he does not stay in it, but he has given it on rent, and he himself stays in a rented house, then one share of Qurbaani is compulsory upon him because this house is over and above his basic needs at this moment.[447]

#…..If a person's house is given on rent or it is free or is lying empty and the person himself stays in a rented house or he is staying there for free, in every case, consideration is given to the value of the house because this house is currently not part of the basic necessities of the person.[448]

Makruh

#…..It is Makruh to take the animal to the place of slaughter by pulling and stretching.[449] It is Makruh to

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447 Hindiyyah vol.3 p.344, Vol.5 p.292, Shaami vol.6 p.312, Al Bahr vol.8 p.174, Takmila Fath ul Qadeer vol.8 p.425, Bada'i vol.5 p.64

448 Ibid

449 Hindiyyah vol.5 p.287, Bada'i vol.5 p.60

delay in slaughtering the animal after laying it down to slaughter it.[450]

#…..It is Makruh to keep the animal hungry and thirsty before slaughtering the animal.[451]

#…..The animal should be laid down easily. It is Makruh to lay it down with unnecessary difficulty.[452]

#…..It should be laid down facing the Qibla, on its right side. It is Makruh to do it contrary to this.[453]

#…..It is Makruh to slaughter with a blunt knife.[454]

#…..It is Makruh to sharpen the knife in front of the animal.[455]

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[450] Hindiyyah vol.5 p.288, Shaami vol.2 p.296, Al Bahr vol.8 p.170

[451] Ibid

[452] Ibid

[453] Hindiyyah vol.5 p.288, Bada'i vol.5 p.60

[454] Hindiyyah vol.5 p.287

#…..It is Makruh to sharpen the knife after laying the animal down.[456]

#…..It is Makruh to slaughter one animal in front of another animal.[457]

#…..It is Makruh to slaughter the animal with such force that the head is separated or the knife reaches the Haraam marrow.[458]

#…..It is Makruh to slaughter the animal above the neck .[459]

#…..It is Makruh to separate the neck from the body after slaughter, before the animal has cooled down.[460]

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455 Hindiyyah vol.5 p.287, Bada'i vol.5 p.60

456 Hindiyyah vol.5 p.287, Bada'i vol.5 p.60

457 Tahtaawi ala ad Durr vol.4 p.152, Shaami vol.6 p.296, Hindiyyah vol.5 p.288

458 Al Bahr vol.8 p.170, Bada'i vol.5 p.60

459 Al Bahr vol.8 p.170

[Type text]

Worker

If a worker owns nisaab, then Qurbaani is compulsory upon him. The ruling for governmental and non governmental workers is the same.

If a worker does not own nisaab, whatever wages he earns, is spent or some money remains at the end of the month but this amount does not equal nisaab, but is less, then Zakaat and Qurbaani is not compulsory on him.[461]

A vow is taken

#…..If a person took a vow to make Qurbaani, then Qurbaani becomes compulsory upon him due to the vow. It does not matter whether the person is rich or poor. The ruling for both is the same.[462]

#…..If a person who owns nisaab made a vow, then two Qurbaanis become compulsory on him. One for the vow

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460 Al Bahr vol.8 p.170, Bada'i vol.5 p.60, Shaami vol.6 p.296

461 Shaami vol.6 p.312, Aalamgiri vol.5 p.292, Bada'i vol.5 p.63, Al Bahr vol.8 p.173, Takmila Fath ul Qadeer vol.8 p.425

462 Shaami vol.6 p.320, Bada'i vol.5 p.61

and the second one was due to being a sahib-e-nisaab. This (second one) has been made compulsory upon him by the Shari'ah.[463]

There is more reward for slaughtering in Mina

Qurbaani began in Mina. This is why it is more rewarding to make Qurbaani in Mina as compared to other places. **It is for this reason that Rasulullaah slaughtered 100 camels during Hajj, 63 he slaughtered himself and the rest he gave to Hadhrat Ali .** It is because of this virtue that he made the Qurbaani of so many animals.[464] Generally, Rasulullaah used to make Qurbaani of two animals in Madinah Munawwarah.[465]

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463 Shaami vol.6 p.320, Bada'i vol.5 p.63

464 Bada'i vol.5 p.79, Al Bahr vol.8 p.179

465 Hindiyyah vol.5 p.295, Bada'i vol.5 p.79, Mishkaat p.128, Abu Dawud vol.2 p.30, Tirmizi vol.1 p.275

Dowry and Qurbaani

#…..If a woman does not own nisaab but her deferred dowry that her husband is responsible for is more than nisaab which has not yet received. So the woman will not be a sahib-e-nisaab because of that dowry and Qurbaani is not compulsory upon her.[466]

#…..If immediate dowry is the right of the woman and it equals or exceeds nisaab, then Qurbaani is compulsory because of it and one share of Qurbaani is necessary upon the woman to make.[467]

Performing Qurbaani on behalf of the deceased

#…..It is permissible to make Qurbaani on behalf of the deceased and the deceased will get the reward. **Hadhrat Ali used to slaughter a ram for himself and a ram on behalf of Rasulullaah .[468]**

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466 Shaami vol.6 p.312, Al Bahr vol.8 p.174, Hindiyyah vol.5 p.292

467 Shaami vol.6 p.312, Hindiyyah vol.5 p.292

468 Shaami vol.6 p.326, Bada'i vol.5 p.72, Abu Dawud vol.2 p.29, Tirmizi vol.1 p.275, Mishkaat p.128

[Type text]

#…..There are two ways of making Qurbaani on behalf of a deceased person:[469]

1. One share of Qurbaani is made in the name of the deceased.

2. Besides the compulsory Qurbaani of a person, another Qurbaani or share is made and the reward is passed on to the deceased. Both ways are permissible.[470]

Performing Qurbaani on behalf of the deceased

#…..There are two ways of making Qurbaani on behalf of the deceased. If the deceased made a bequest, then it is necessary to give the meat away in charity. It is not permissible for the wealthy to eat that meat.

If the deceased did not make a bequest, but the heirs and relatives made Qurbaani out of their own accord, then the wealthy and the poor can eat of it. It is not necessary to give all the meat in charity. However much a person

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[469] Mirqaat ul Mafateeh vol.3 p.309

[470] Bada'i vol.5 p.72

wants to give in charity, he can give and however much he wants to keep, he can keep. It is permissible.[471]

How should Qurbaani on behalf of the deceased be performed?

If a person is making Qurbaani on behalf of the deceased, then it is necessary to keep a separate share for each person that has passed away. One share is not sufficient for more than one deceased. **It is however valid to make a nafl Qurbaani share and send the reward of it to more than one living and deceased individual/s.** If a person has the ability, then a person should definitely make Qurbaani for the deceased. It carries great reward and the deceased benefits greatly.[472]

Is charity or Qurbaani more virtuous for the deceased?

It is more virtuous to make Qurbaani on behalf of the deceased for Isaal e Thawaab than it is to give charity during the days of Qurbaani. It is more virtuous to send the reward to the deceased because only wealth is

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[471] Shaami vol.6 p.327, 335

[472] Mishkaat p.128, p.127, Bada'i vol.5 p.72

utilized in charity and in Qurbaani, together with wealth, a person sacrifices a lot. That is why it is more virtuous to make Qurbaani.[473]

Performing Qurbaani on behalf of the deceased with wealth owned in partnership

A number of individuals cannot collectively make Qurbaani on behalf of a deceased person. One way that this could be done is that each person should gift the value of his share to someone. This person should make Qurbaani on the name of whoever he wishes. In this way, Qurbaani will be done and the deceased will also receive reward.[474]

NOON

Immature

If an immature boy or girl is wealthy, owns nisaab, then Qurbaani is not compulsory upon such a person. It is not permissible for a guardian to make Qurbaani from the wealth of an immature child. If a guardian does

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[473] Khulaasatul Fataawa vol.4 p.320

[474] Hindiyyah vol.5 p.297, Fataawa Rahimiyyah vol.10 p.57

Qurbaani with his own wealth on behalf of immature children, then he can do it and they will be rewarded.[475]

Performing Qurbaani on behalf of immature children

It is not compulsory on a wealthy person to make Qurbaani on behalf of immature children. It is Mustahab. If he does Qurbaani, he will be rewarded and if he does not do it, there is no sin.[476]

The slaughtered animal of an immature child

An immature child can slaughter an animal. If he said بسم الله الله اكبر and slaughtered then it is permissible and it is Halaal to eat the meat.[477]

The slaughtered animal of a blind person

It is not conditional for the slaughtered animal to be Halaal that the slaughterer should be someone who can see. **The slaughtered animal of a blind Muslim is**

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475 Shaami vol.6 p.316, vol.6 p.335

476 Fataawa Qadhi Khan vol.3 p.345, Hindiyyah vol.5 p.293, Bada'i vol.5 p.64, Takmila Fath ul Qadeer vol.8 p.428, Shaami vol.6 p.315, Al Bahr vol.8 p.174

477 Shaami vol.6 p.297

Halaal and it is permissible to eat the meat, although it is better to let a seeing person slaughter so that he can see whether the slaughtering was done properly.[478]

Nahr (piercing)

Nahr is Sunnah for camels. Nahr refers to piercing the camel at the top part of the chest, close to the neck with a spear or knife so that the veins of the neck could be cut.[479]

Nails

It is Mustahab for the person doing Qurbaani to clip his nails after performing the Eid Salaat and slaughtering. If the person who is not doing Qurbaani also copies those performing Qurbaani and clips his nails after Qurbaani, then he too will not be deprived of reward.[480]

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478 Shaami vol.6 p.296, Bada'i vol.5 p.45, Hindiyyah vol.5 p.285

479 Bada'i vol.5 p.41, Hindiyyah vol.5 p.287, Al Bahr vol.8 p.171, Shaami vol.6 p.303

480 Nasa'i vol.2 p.201, Mishkaat p.127, Mirqaat ul Mafateeh vol.3 p.306

Nose

It is not valid to make Qurbaani of an animal that does not have a nose or its nose has been cut off.[481]

Performing Qurbaani changing the name

Some people make Qurbaani one year on their name and the next year they make Qurbaani on their wife's name, i.e. every year they change the person's name. This is not valid. If the person making Qurbaani is a sahib-e-nisaab, then it is necessary that he makes Qurbaani for himself. If he does not make in his name, and he makes in the name of someone else, then the responsibility of Qurbaani remains on him. One's own Qurbaani is not done by making Qurbaani in another person's name.[482]

The meat of a Qurbaani animal that was of a vow

It is compulsory to give the meat of an animal that was slaughtered out of fulfilling a vow to the poor and needy. It is not permissible for wealthy people to eat of the meat. The children and parents of the person

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[481] Hindiyyah vol.5 p.298, Shaami vol.6 p.324, Bada'i vol.5 p.75

[482] Shaami vol.6 p.315, Bada'i vol.5 p.64, Hindiyyah vol.5 p.292, 294

slaughtering an animal out of fulfilling a vow are also not permitted to eat of the meat.[483]

Sign

It is valid to slaughter an animal which was injured or a mark came upon it by putting it down on the ground or by hitting it. However, it is better that Qurbaani of such an animal is also not made.[484]

The Nisaab of Qurbaani

See 'Upon whom is Qurbaani Waajib (compulsory)' for details

Niyyah

#.....It is necessary to make the intention of Qurbaani at the time of buying the animal or at the time of slaughtering the animal, otherwise the Qurbaani will not be valid.[485]

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483 Shaami vol.6 p.327, Hindiyyah vol.5 p.300

484 Hindiyyah vol.5 p.299, Shaami vol.6 p.323, Bada'i vol.5 p.75

485 Hindiyyah vol.5 p.294

#…..If a person bought an animal with the intention of Qurbaani but at the time of slaughtering, he did not have this in mind. The Qurbaani will be valid.[486]

The Niyyah is invalid

If one person from among the shareholders in a Qurbaani animal did not make the intention of reward, nor did he make the intention of fulfilling a compulsory Qurbaani, but he intended only to eat meat or to serve at a wedding, then the Qurbaani will not be valid and none of the shareholders' Qurbaani will be done.[487]

The Niyyah is different

Among the shareholders, some intended nafl Qurbaani and another intended a compulsory Qurbaani or one person intended compulsory Qurbaani and another made intention of Aqeeqah, then Qurbaani will be done

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486 Hindiyyah vol.5 p.294

487 Hindiyyah vol.5 p.304, Bada'i vol.5 p.72, Shaami vol.6 p.326, Al Bahr vol.8 p.177

because all of them made the intention of attaining reward from their share.[488]

White antelope

It is not valid to make Qurbaani of a white antelope. The Qurbaani animals are specified by the Shari'ah. Analogy has no place in it. Only three types of animals are specified for Qurbaani. The first type is male and female Camel, the second is male and female goats, rams ewes, and the third type is cows, bulls and buffaloes. It is not permissible to slaughter any other type of animal. **It is also conditional that the animals should not be wild but it should be tame and used to humans.[489]**

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[488] Shaami vol.6 p.326, Hindiyyah vol.5 p.304, Al Bahr vol.8 p.177, Bada'i vol.5 p.72

[489] Hindiyyah vol.5 p.297, Al Bahr vol.8 p.177, Shaami vol.6 p.322

WAAW

Partnership of waajib (compulsory) and optional Qurbaani

People can form a partnership in a big animal for compulsory Qurbaani as well as optional Qurbaani.[490]

Buying an animal on weight

It is permissible to sell an animal by weight where the animals are sold by weight because there is less deception in it and inexperienced people will be saved from loss.[491]

Wasiyyah (bequest)

#…..If a person made a bequest for Qurbaani and he left wealth for this purpose with which Qurbaani can be done, then it becomes compulsory upon the executor to fulfill this bequest.[492]

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490 Bada'i vol.5 p.71

491 Ahsan ul Fataawa vol.6 p.497

492 Hindiyyah vol.5 p.306, Fataawa Bazzaaziyyah vol.6 p.295

#…..If Qurbaani is compulsory upon a person and he cannot do it, so it will be necessary upon him to make a bequest. If he made a bequest and passed away, then it will be necessary upon the heirs to make Qurbaani from his wealth. If he did not make a bequest, then it is not compulsory for the heirs to make Qurbaani on his behalf. If a person makes Qurbaani on his behalf, then it will be optional Qurbaani. The compulsory Qurbaani will not be fulfilled, but the deceased will attain the reward of the optional Qurbaani.[493]

#…..If a person made a bequest that Qurbaani should be made from his wealth and passed away, then it is compulsory to give all the meat to the poor and needy. **It is not permissible for the wealthy to eat of a Qurbaani animal that was made out of fulfilling a vow.[494]**

Warning

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[493] Shaami vol.6 p.326, Fataawa Khaaniyyah vol.6 p.295, Bada'i vol.5 p.72

[494] Shaami vol.6 p.326, Fataawa Bazzaaziyyah vol.6 p.290

If a person does not make Qurbaani despite possessing nisaab, then he will be a sinner. Rasulullaah said that whoever does not make Qurbaani despite having the ability should not come close to my Eid Gaah, i.e. he is not worthy of presenting himself in the court of Allaah .[495]

The ruling of wealth left over by the representative

If a person takes up the responsibility to make Qurbaani as a representative, then it is necessary that he keeps record of each person's amount separately. If an amount is left over, then it is necessary to give it back. If the representative wants to take a wage for doing the Qurbaani, then he can take it, but it is necessary that the wage should be stipulated from before.[496]

Walimah

#…..**It is permissible if a number of individuals take a share in a big animal for walimah and others for**

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[495] Mishkaat p.127, Ibn Majah p.226, Bada'i vol.5 p.64, Al Bahr vol.8 p.173

[496] Fataawa Rahimiyyah vol.10 p.45

[Type text]

Qurbaani. There is no dislike for this in the light of Shari'ah.

#…..By making an intention of Sunnah walimah in a Qurbaani animal, none of the partners' shares will be invalid.[497]

HAA

Qurbaani of a Deer

A deer is Halaal. It is permissible to eat of its meat, **but it is from among the wild animals and it is not permissible to make Qurbaani of wild animals.** For this reason, it is not permissible to make Qurbaani of a male or female deer. **There is no difference if it is tamed or not.**[498]

YAA

The slaughtered animal of a Jew

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497 Bada'i vol.5 p.71, 72, Hindiyyah vol.5 p.304, Al Bahr vol.8 p.177, Shaami vol.6 p.326

498 Aalamgiri vol.5 p.297, Bada'i vol.5 p.69, Al Bahr vol.8 p.177, Shaami vol.6 p.322

If a Jew or Christian believes in the principles of his religion and the messengers and divine books, they are not science or star worshippers and he takes the name of Allaah and slaughters, he does not take the name of anyone besides Allaah, then this slaughtered animal of the Jew and Christian will be Halaal and it will be permissible to eat of its meat.[499]

However, most of the Jews and Christians today are atheists, irreligious, science worshippers and star worshippers. They are only Ahl e Kitaab by name, they do not have any link with religion. In fact, we learn from their actions and words that they have no connection with Deen. Therefore, it is not valid to call such Jews and Christians 'Ahl e Kitaab' and their slaughtered animals are not Halaal. Therefore, that which is Halaal and not doubtful should not be left for that which is doubtful and a person should refrain totally from their slaughtered animals.[500] The ruling of the animals slaughtered by the Christians is the same.

Translation edited by

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[499] Surah Maa'idah verse 5

[500] Tafsir Mazhari vol.3 p.34, Surah Maa'idah verse 5

May Allaah protect him. Day of Eid 1431-17th Nov.2010